

# **CovertAction**

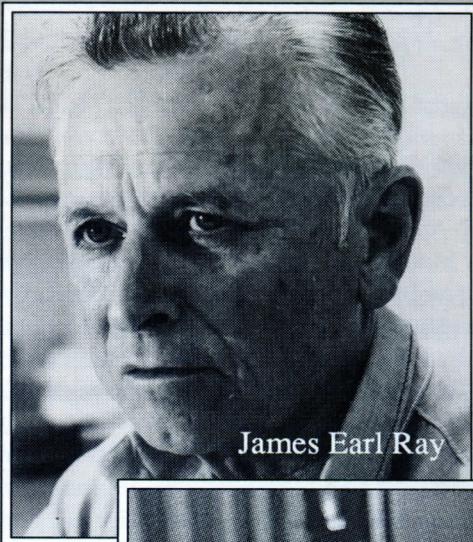
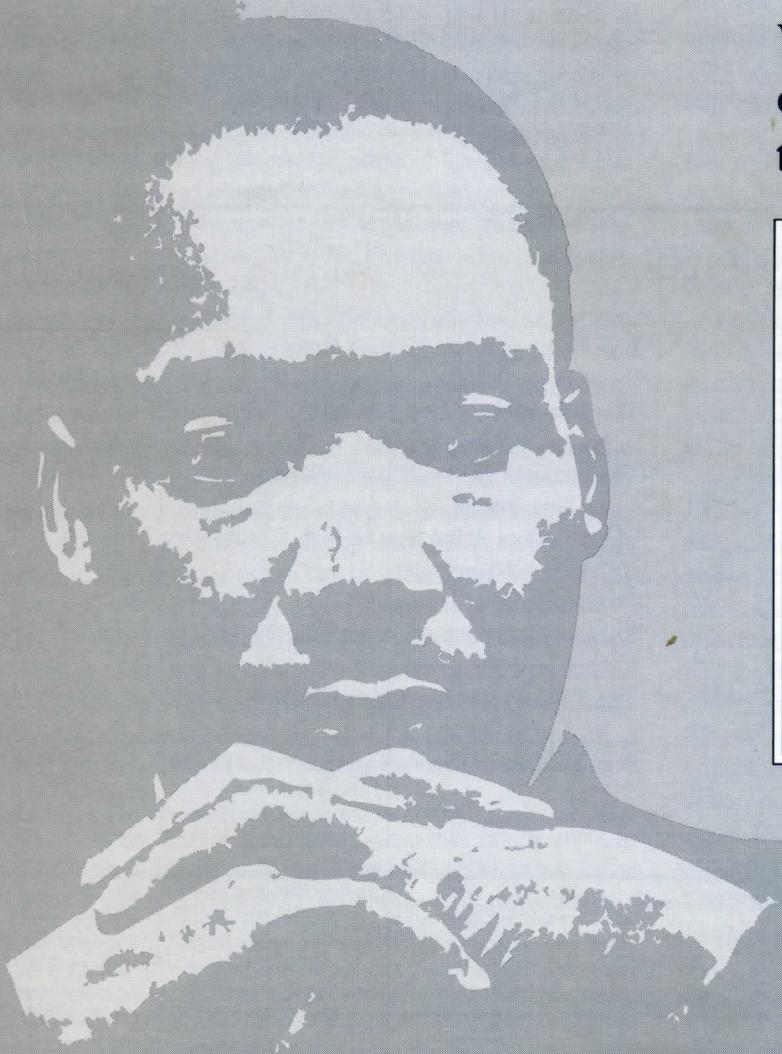
## **INFORMATION BULLETIN**

**Number 34**

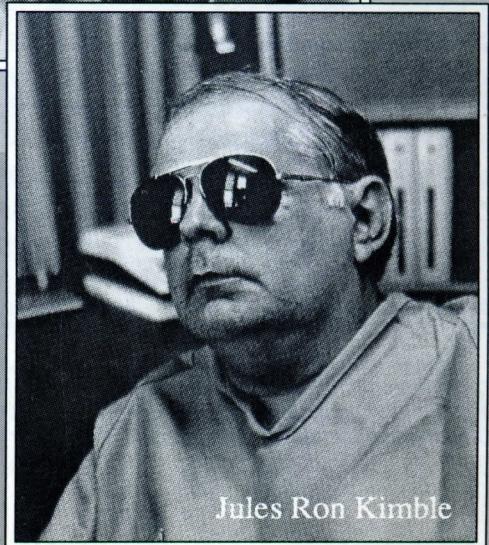
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### **The Assassination of Martin Luther King Jr.**

**Were these men part  
of a government conspiracy  
to kill King?**



**James Earl Ray**



**Jules Ron Kimble**

# Editorial

This issue of *CAIB* is a glimpse at the many faces of the U.S. intelligence apparatus. From the CIA's involvement in a variety of conflicts in SouthEastAsia to the assassination of Martin Luther King Jr., we examine the breadth of illegal activities which the government attempts to cover up and which the mainstream media is afraid to explore.

Information about CIA operations in Central America continues to surface. The CIA organized and controlled a group of Costa Rican intelligence officers who, for large retainers, spied on their own government. For many years the CIA clouded the fact that Manuel Noriega's relationship with the Medellín Cartel made him a very rich man. However, when Noriega began to tire of toeing the U.S. line, George Bush decided to act. Panama was invaded, thousands of civilians were killed, and Noriega was captured. Now Noriega will stand trial for activities that the U.S. once condoned.

Perhaps even more appalling is the U.S. backing of the Khmer Rouge in their attempt to overthrow the Hun Sen government in Cambodia. Into this devastating conflict the

U.S. government has sent food and covert military aid to support the guerrilla coalition. Pol Pot's Khmer Rouge is by far the strongest military contingent. If victorious, they would be in a position to gain complete power and return war-ravaged Cambodia to the nightmarish rule of the 1970s.

Finally, the assassination of Martin Luther King Jr. must be reexamined in response to new evidence which reveals that James Earl Ray may have been set up. A self-professed political assassin, Jules Ron Kimble, claims that he was part of a conspiracy to kill King. Kimble says that he helped several members of the CIA plan and carry out King's murder. Additionally, new evidence suggests that there was a CIA "identities" specialist who helped Ray develop his aliases.

These articles, as well as others in this issue, demonstrate how U.S. covert operations repeatedly work in direct contradiction to our society's professed values. If the United States is ever to achieve the openness and democracy that it so loudly touts to the world, it will first have to do away with the destructive operations of the CIA. •

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**Cover Photo:** Martin Luther King Jr. Credit: Clover International; *Washington Star* collection, D.C. Public Library. James Earl Ray and Jules Ron Kimble. Credit: Otmoor Productions.

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**Back Cover Photo:** Pol Pot in China. Credit: Hsinhua News Agency.

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# The CIA and Its "Babies:"

## Covert Operations in Costa Rica

by Tony Avirgan\*

Costa Rica has charged two CIA operatives with first degree murder for the 1984 terrorist bombing of a news conference at La Penca, Nicaragua. A request for the extradition, on murder charges, of Iran/contra figure John Hull has been forwarded to the Costa Rican Embassy in Washington and will soon be presented to the State Department.

Hull, a 20-year resident of Costa Rica, jumped bail last year rather than face drug and arms trafficking charges and is now living in Potoka, Indiana. The drug trafficking charges were suspended due to a technicality, but Hull now faces the murder charge as well.

The other CIA operative charged with murder is Felipe Vidal, who, since 1983, has clandestinely traveled between Central America and Miami. One of his pet projects was involving Cuban-Americans in the *contra* war so they could gain combat experience in preparation for a war against Cuba.<sup>1</sup>

Several months ago, Jorge Chavarria, a senior prosecutor charged with overseeing an investigation of La Penca for the Costa Rican Attorney General, issued a preliminary investigative report exposing a conspiracy of espionage, drug trafficking, and murder carried out by U.S., Panamanian, and Costa Rican officials acting for the CIA.<sup>2</sup>

The murder charges stem from that carefully footnoted, 54-page report. Chavarria, working with a special team of agents from the Office of Judicial Investigations (OIJ) — roughly equivalent to the FBI — says the 1984 La Penca news conference bombing was the work of Nicaraguan *contras*, the CIA, and Panamanian General Manuel Noriega. The report recommended that first-degree murder charges be filed against Hull and Vidal and that charges of "illicit enrichment" be filed against nearly a score of Costa Rican security officials who were secretly on the CIA payroll.

Most OIJ agents have been trained by the FBI, the CIA, or right wing security services in places such as Taiwan, Chile (under Pinochet), Argentina (during military rule) or Israel.<sup>3</sup>

\*Tony Avirgan has covered events in Central America for many years and now lives in San José, Costa Rica. For more on his role in the investigation of the La Penca bombing, see sidebar, this article.

1. For more on Vidal's role in the *contra* war, see: Tony Avirgan and Martha Honey, *La Penca, Reporte de una Investigacion* (San José, Costa Rica: Editorial Porvenir, 1989); Lindsey Gruson, "Costa Rica is Asking U.S. to Extradite Rancher," *New York Times*, March 1, 1990.

2. Chavarria's information was gathered over a one-year period with the help of two OIJ agents. Their findings are reported in a document entitled, "The Public Prosecutor's Investigation of the 'La Penca' Case," San José, Costa Rica, December 26, 1989. Copies of this document have been circulated among journalists in Costa Rica. An English translation is available from the Christic Institute in Washington, D.C.

3. This information is from personal observation and conversations with OIJ agents. Many OIJ agents wear small Taiwanese flag pins on their lapels to show that they have received training there. Graduation certificates on office walls of OIJ agents are from all the countries mentioned.

Chavarria and the OIJ agents who worked with him have become something of pariahs within their organization. The agents accused of working for the CIA have generally not denied the charges, but have argued that close cooperation with the CIA and the U.S. Embassy has long been the norm and had the approval of the highest Costa Rican authorities.

The La Penca bombing, at a *contra* camp just inside Nicaragua, killed three journalists — two Costa Ricans and a North American — and seriously wounded two dozen more. The intended target, maverick *contra* leader Eden Pastora, escaped with serious injuries.

Although the bombing itself took place just inside Nicaragua, all the planning and preparation took place in Costa Rica, the U.S., Honduras, and Panama. Costa Rican law allows for prosecution of crimes committed against Costa Rican nationals outside the country.

Hull has admitted in several interviews to taking orders and money from the CIA. Pastora says that he was first introduced to Hull by the then CIA station chief who said "Mr. Hull is your liaison."<sup>4</sup> Hull's name appeared in diagrams in Oliver North's notebooks showing the supply chain to *contras* in Costa Rica.

Felipe Vidal, a shadowy Miami based Cuban-American, who spends much time in Costa Rica, has identified himself to numerous *contras*, including Pastora, as a CIA agent. He constantly carries a .45 caliber pistol in a shoulder holster and is known and feared among *contras* as an assassin. He kept a crossbow in a guest room at Hull's ranch.<sup>5</sup>

The Attorney General's report blames Costa Rica's failure to investigate the crime for the past five years on the fact that police officials in charge of the investigation were being paid by the CIA. It says the CIA fed Costa Rican investigators false information.

The report also details the creation, by the CIA, of a special 15-member unit within Costa Rica's Directorate of Intelligence and Security (DIS). This unit took orders from the U.S. Embassy rather than from anyone in the Costa Rican government. It had its own offices, rented by the U.S. Embassy, and took orders from a CIA agent named Dimitrius Papas, according to the report. Papas, known as "Papi," called his Costa Rican underlings "The Babies."<sup>6</sup>

4. In an interview on CBS's "West 57th Street" in 1987, Eden Pastora admitted that Hull was his CIA contact person in Costa Rica. Pastora also admitted this in his deposition for the Christic Institute's suit. Hull himself, admitted working for the Agency in various interviews including on CBS's "West 57th Street."

5. On one occasion, Vidal showed his .45 caliber pistol to the author. Mercenary Peter Glibbery, who was based at Hull's ranch, related the information about the crossbow.

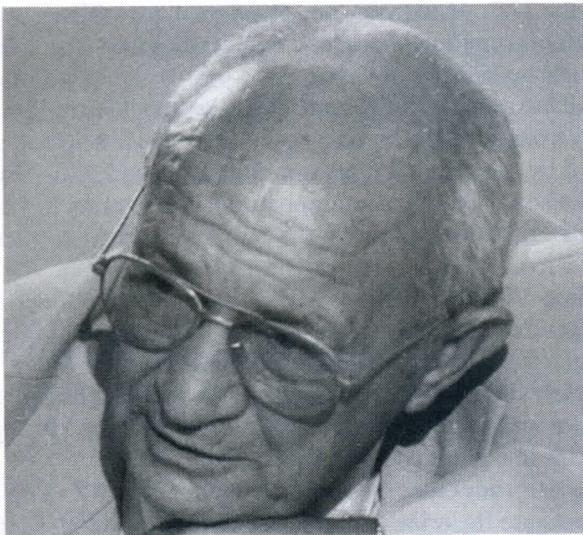
6. *Op. cit.*, n. 2, pp. 25-29.

## The CIA and the Babies

According to various DIS agents interviewed by Chavarria, the formation of a special unit of highly trained intelligence agents was first suggested by the United States Embassy which offered to provide the training. The Costa Rican government of then-President Luis Alberto Monge accepted the offer and the U.S. Embassy appointed Papas, who was introduced to the trainees as a CIA agent, to instruct and lead the new unit.<sup>7</sup>

Under the leadership of Papas, "The Babies" soon moved into their own building and obtained vehicles, office equipment, and communications equipment, all paid for by the CIA.

According to Chavarria, "The Babies" "lost loyalty to their superiors" and set about spying on any Costa Rican official attempting to uphold the policy of neutrality at the expense of the CIA-backed Nicaraguan *contras* operating illegally in Costa Rican territory. The victims of this spying included President Mongé, and several pro-neutrality ministers of his government. Information about their personal lives was turned over to the CIA.



Credit: Julio Lainez

### John Hull – charged with murder in Costa Rica.

Papas didn't stop with "The Babies." According to Chavarria's report he also developed "a close bond" with the Department of Special Affairs of OIJ, which investigated matters touching on national security. The bond was particularly strong with OIJ agent Alberto Llorente, who named Papas godfather to one of his children.

Llorente was, at the time, responsible for OIJ's relations with the U.S. Embassy. He was also the senior agent assigned to investigate the La Penca bombing.

Papas ended up paying not just "The Babies" but also other members of DIS and OIJ. According to the report, he gave these organizations office equipment and equipment for phone tapping and electronic eavesdropping.

7. *Ibid.*

Agents of all three Costa Rican organizations were being paid "per diems" for work done on behalf of the CIA. All of this was being done with no control whatsoever by the Costa Rican Government.

According to Chavarria, the payoff money was laundered through the New York office of "The Cardinal Association." The money was then channeled through the Costa Rican law firm of Zurcher, Montoya and Zurcher which passed it on to DIS agent and "Babies" member Vera Arguedas Serrano.

Some of the covert funds were funneled through the "Asociación de Asistencia Cívica Costarricense" (Costa Rican Civic Association), which, according to Chavarria, continues to channel CIA funds to DIS today. All of these uncontrolled payments to government employees are illegal under Costa Rican law and Chavarria has recommended further investigation with the possibility of eventually bringing charges against members of the DIS.

Papas has since left Costa Rica, although journalists recently reported that he is in the U.S. Embassy in Panama.

Costa Rican intelligence and governmental sources have, in the past, accused "The Babies" of a variety of illegal actions including falsification of documents and break-ins at homes and offices of suspected leftists.

Soon after the La Penca bombing, "The Babies" prepared and circulated to journalists hundreds of documents allegedly "proving" that the Sandinistas had committed the terrorist action.

In addition to the murder charges, the report recommends charges of "illicit enrichment" against members of "The Babies" and dereliction of duty against the detectives who failed to investigate the La Penca bombing. It also recommends charges be filed against Oliver North's "messenger" Robert Owen, mercenary organizer Tom Posey, mercenary René Corvo, former CIA station chief Philip Holts, CIA operative and drug trafficker Moises Dagoberto Nuñez, CIA operative Frank Castro, and a number of Costa Ricans associated with the Nicaraguan *contras*.

Many of those named by Chavarria were previously named in a report last year by a Costa Rican Legislative Commission investigating drug trafficking.<sup>8</sup> The Commission concluded that the arms supply network set up by the National Security Council, the CIA, and Oliver North to supply Nicaraguan *contras* in Costa Rica soon turned into a drug trafficking operation. As a result of the Commission's findings, the Costa Rican Cabinet last year declared Owen, former CIA station Chief Joe Fernandez, former Ambassador Lewis Tambs, North, and former National Security Advisor John Poindexter *persona non grata* in Costa Rica.

### The La Penca Bombing

Outgoing U.S. Ambassador to Costa Rica Deane Hinton said the latest report "is an invention." Hinton is now Ambassador to Panama. According to sources in the U.S. Embassy, Hinton circulated an order instructing all Embassy personnel

8. Commission on Narcotics Trafficking, Costa Rican Legislative Assembly, The Second Report, July 1989.

to take every opportunity to denounce the Costa Rican La Penca investigation. Hinton, a veteran of covert actions, has served in such sensitive posts as Syria (1946-50), Kenya (1950-52), Guatemala (1954-69), Chile (1969-73), Zaire (1974-75), El Salvador (1981-83), and Pakistan (1986).<sup>9</sup>

Costa Rican government sources say that Steven Groh, a "consular officer" at the U.S. Embassy, recently visited Government officials and demanded that they close down the Costa Rican investigation of La Penca. Referring to U.S. Federal Judge Lawrence King's dismissal of the Christic Institute's La Penca lawsuit, Groh said the matter had "already been dealt with" by the U.S. courts. (The Christic Institute suit is currently on appeal and King's dismissal is expected to be reversed.) The Costa Ricans patiently explained to Groh that U.S. courts have no authority in this sovereign country.

Tony Avirgan, was among the victims of the La Penca bombing. His wife Martha Honey and he conducted an investigation at the request of the Committee to Protect Journalists and the Newspaper Guild and concluded, in 1985, that the bombing had been carried out by the CIA and Nicaraguan *contras*. Their report named John Hull and Felipe Vidal as principals in the bombing. Their findings were denounced by the U.S. government and they suffered severe harassment, including the murder of a key source and the planting of cocaine in a book supposedly mailed to them by Tomas Borge, then-Interior Minister of Nicaragua.

Their findings form the basis of a lawsuit filed on their behalf by the Christic Institute. The case was dismissed by a Federal Judge in Miami days before it was to go to trial. It is currently before the 11th Circuit Court of Appeals in Atlanta.

For more information, a copy of the original La Penca report or the latest Costa Rican report, contact: The Christic Institute, 1324 North Capitol Street, Washington, D.C. 20002, Telephone: (202) 797-8106.

Hull, who jumped bail and fled Costa Rica last year after being charged with arms and drug trafficking, said from his home in Indiana, "I think the same thing I've always thought, the government down there is infiltrated and manipulated by communists led by the Christic Institute."

Former *contra* leader Adolfo Calero and former U.S. Ambassador to Costa Rica Curtin Winsor also rejected the findings presented in the report, sticking to the cover story that the La Penca bombing was carried out by the Sandinistas.

The day after the bombing, the CIA, the Defense Intelligence Agency and the now defunct Office for Public

9. For more on Hinton, see, William Blum, *The CIA: A Forgotten History* (London: Zed Press, 1986); Raymond Bonner, *Weakness and Deceit: U.S. Policy and El Salvador* (New York: Times Books, 1984).

Diplomacy (State Department) circulated the story that the Basque separatist group ETA had carried out the attack on behalf of the Sandinistas. ABC news and the MacNeil/Lehrer News Hour carried the planted story which was soon shown to be false.

Costa Rican officials implicated in the report, and sectors of the right wing press, have tried to discredit the findings, saying they represent a repetition of the charges in the Christic Institute La Penca law suit and the original La Penca investigation carried out by journalists Martha Honey and this writer (see box).

Asked about this, Dr. José María Tijerino, Costa Rica's equivalent of an Attorney General, said the prosecutor's investigation was carried out in complete independence and the fact that its findings coincide with the Honey/Avirgan La Penca report only strengthens it. He said "they were parallel investigations which reached the same conclusions."

Manuel Noriega was brought into the report in testimony saying he had aided CIA *contra* supply efforts by supplying pilots who also worked for the Medellin Cartel. Later he participated in unsuccessful CIA efforts to pressure Pastora to unite his forces with the largest *contra* faction, the FDN.

The report says it was Pastora's refusal to unite and his efforts to clean up drug trafficking on the "Southern Front" which led to the La Penca bombing. These findings are based on more than 50 sworn testimonies, transcripts of previous trials and testimony presented at U.S. congressional hearings.

The report was handed over to a "Judge of Instruction" who had to decide if the evidence was sufficient to bring charges. In early April, the Fourth Judge of Instruction in San José ruled that there is sufficient evidence to charge Hull and Vidal with first degree murder and attempted murder.

Under Costa Rican law, Hull and Vidal cannot be officially charged until they appear before a Costa Rican judge. With that end in mind, the murder charges and the previous gun running charge were joined to form the basis of a request to the United States Government to extradite Hull.

Since Hull took out Costa Rican citizenship in 1984, Costa Rican officials say the U.S. is obligated to send him back. However, Hull was allowed by the U.S. to retain his U.S. citizenship and, in the eyes of the U.S. government, he is a U.S. citizen. That would make extradition exceedingly difficult if not impossible.

In a recent press release, Hull complained that the U.S. government is now harassing him about having dual citizenship. Hull was quoted as saying he took out Costa Rican citizenship because the CIA ordered him to.

Much of the investigative work carried out by Chavarria and his team originated with leads provided in testimony given to the U.S. Congress in the Iran/*contra* hearings. Costa Rican authorities chose to follow up those leads. U.S. authorities, from the Justice Department to congressional committees, chose to ignore them. Despite the fact that a country friendly to the United States has charged a CIA agent and Iran/*contra* figure with murder in connection with a terrorist bombing which killed a U.S. citizen, the mainstream U.S. media has generally ignored the story.

# The Panama Connection: U.S. Addiction to National Security

by Robert Matthews\*

George Bush justified the U.S. invasion of Panama in December 1989 as an effort "to combat drug trafficking." An unnamed White House source best articulated the U.S. government's position when he said: "Doing away with the Panamanian connection—in the sense that Noriega condones and protects such activity [drug trafficking and money laundering]—would put one hell of a dent in the movement of drugs in organized crime. That's the bottom line."<sup>1</sup>

However, Senator John Kerry (Dem.-Mass.), in summarizing the conclusions of his Subcommittee on Narcotics, Terrorism and International Operations, declared: "From what we have learned these past months our declaration of war against drugs seems to have produced a war of words, not actions. It seems as though stopping drug trafficking in the U.S. has been a secondary U.S. foreign policy objective, sacrificed repeatedly for other political and institutional goals such as changing the government of Nicaragua, supporting the government of Panama, using drug-running organizations as intelligence assets, and protection of military and intelligence sources from possible compromise through involvement in drug-trafficking."<sup>2</sup>

What were the real reasons for the U.S. campaign against Manuel Antonio Noriega? This is the question which still hovers over the U.S. invasion of Panama or any speculation about the future of Noriega, currently prisoner number 41586-004 in the Metropolitan Correctional Center in Miami. Why the implacable hostility when drugs, corruption, lack of democracy or human rights abuses (all charges eventually leveled against the Noriega government) never stood in the way of U.S. friendships with other governments? If the ouster of Noriega had to do mainly with drugs and corruption, why not sooner?

There is no simple answer to these questions. Yet for the U.S., the issue of Noriega's links to the Medellín cocaine cartel was not as the public perceived it—as a moral stance or a sincere attempt to hamper the flow of cocaine onto the streets of U.S. cities. Rather, narcotics were an indirect factor in a larger national security problem—Washington perceived that it was fast losing its grip over a key strategic country in its sphere of influence.

\*Robert Matthews teaches at the Fieldston School and at New York University's Center of Latin American and Caribbean Studies. He is also an associate of the Peace Research Center (CIP) in Madrid, Spain.

1. See Transcript of Bush's address on the "Decision to Use Force in Panama," *New York Times*, December 21, 1989; and Seymour Hersh, "Panama Strongman Said to Trade in Drugs, Arms and Illicit Money," *New York Times*, June 12, 1986.

2. "Guns, Drugs and the CIA," *Frontline*, aired on PBS television, May 17, 1988.

## Noriega and Drugs

Ever since the Nixon administration, the U.S. has had extensive evidence of Noriega's links to drug trafficking and other avenues of illicit enrichment. According to CIA official John Bacon, the U.S. had "hard" information, as early as 1971, on Noriega's involvement in drug smuggling—including witnesses who saw Noriega being paid off for military protection of drug shipments. The case was so strong that Richard Nixon ordered John Ingersoll, director of the Bureau of Narcotics and Dangerous Drugs (BNDD) (the precursor to the Drug Enforcement Administration [DEA]) to Panama to talk to then-President Omar Torrijos about his wayward colonel.<sup>3</sup>

However, Bacon admitted that the issue was not drugs as such, but the fact that Noriega was regarded as an unacceptable "national security problem." In 1973, an assassination team formed within the DEA was charged with eliminating Noriega. An agent was actually dispatched to Mexico to assassinate him but was recalled at the last moment by order of BNDD Director John Bartells.<sup>4</sup>

Every administration from Nixon's on condoned Noriega's activities. Beginning in 1976, he received \$100,000 annually from the CIA and met with then-CIA director George Bush. Jimmy Carter, the champion of human rights, overlooked drug smuggling and numerous human rights violations in Noriega's past in order to gain approval of the Panama Canal Treaty. Washington also feared that exposure of Noriega's illicit activities could undermine the Torrijos regime which the U.S. perceived as blocking the path to power of the mistrusted Panamanian nationalist Arnulfo Arias. A U.S. official said at the time: "We had drugs—and Noriega—all over the place."<sup>5</sup> But Washington's attitude sent a clear message to Noriega as to what it considered important to U.S. interests. To a great extent, the vote in Congress on the Panama Canal Treaty was perceived as a referendum on drug dealing.

During debate over the treaty, Senator Robert Dole (Rep.-Kan.) filed requests under the Freedom of Information Act for all DEA files relating to Panama. Worried that the docu-

3. Interview with John Bacon in "The Noriega Connection," *Frontline*, aired on PBS, January 20, 1990.

4. James Chace, "Getting to Sack the General," *The New York Review of Books*, April 28, 1988, p. 52. For background on the DEA's "hit team" headed up by veteran CIA operative Lucien Conein, see Jim Hougan, *Spooks* (New York: William Morrow and Co., 1978), pp. 196-99 and 224-25; and Henrik Kruger, *The Great Heroin Coup* (Boston: South End Press, 1980), pp. 162-66.

5. Seymour Hersh, "Why Democrats Can't Make an Issue of Noriega," *New York Times*, May 4, 1988. So sensitive did the administration consider its relationship to Torrijos, that when the DEA was preparing to arrest Torrijos's brother on narcotics charges as he arrived in the U.S., U.S. officials tipped off Torrijos, and his brother cancelled his visit. See "The Noriega Connection," *Frontline*, op. cit., n. 3.

ments would fuel conservative opposition, the Carter administration "deselected" certain files and they were never handed over to Dole. Moreover, according to John Bacon, evidence which could have been used to indict Noriega was never returned. In fact, all Panama investigations had to be stopped because none of the files were available.<sup>6</sup> In addition, Carter, like other presidents, saw Noriega as too valuable an intelligence asset to be reined in.

By the early 1980s, U.S. officials were aware that Noriega was riding the crest of a tidal wave of Colombian cocaine sweeping into the U.S. His role was to facilitate the flow of drugs and money through Panama. The Medellín drug cartel paid Noriega vast sums of money for allowing access to secure airstrips and aircraft; for making certain that customs and immigration officials asked no questions; for arranging to launder drug profits through Panamanian banks; and later in the 1980s, for allowing narco-fugitives to remain in Panama.<sup>7</sup> These drug profits were a sizeable supplement to his CIA "salary" which had grown to \$200,000 annually. There were also side interests in such enterprises as a cocaine processing lab (which Noriega destroyed in 1985 to placate the DEA) and charter airlines specializing in transporting drug money in and out of the U.S.

The "hear no evil, see no evil" approach undertaken by Carter for the purpose of pushing through the treaty, was continued by the Reagan administration in its effort to topple the Sandinistas.<sup>8</sup> The more cooperation Noriega offered U.S. intelligence agencies the less likelihood that his illicit activities would come under international scrutiny. According to Francis McNeil, formerly of the State Department, Noriega felt that "if he could keep us happy on Nicaragua, he could do as he pleased."<sup>9</sup>

According to NSC member Norman Bailey, incontrovertible evidence on Noriega's links to cocaine trafficking was "readily available to any authorized U.S. official and was based on an array of human and electronic intelligence and aerial photography."<sup>10</sup> Bailey stated that the information constituted "not just a smoking gun but rather a 21-cannon bar-

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### The CIA station chief in San Jose, Costa Rica, Joe Fernandez, assisted in covering-up Noriega's role in the crime.

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rage of evidence..." that was "...at best ignored, and at worst hidden and denied, by many different agencies and departments [in the U.S. government]."<sup>11</sup>

In mid-1985, Hugo Spadafora, who had been working with Eden Pastora's *contra* rebels in Costa Rica, met with DEA agents to denounce Noriega's drug dealings. Spadafora, the former Panamanian Minister of Health turned over evidence, consisting primarily of testimony by Noriega's pilots, implicating Noriega in the illicit drug trade.

Spadafora was brutally tortured and murdered on September 15, 1985 having last been seen in the custody of the Panamanian Defense Forces (PDF). An investigation conducted by the Organization of American States (OAS) implicated the Panamanian government in the murder but the U.S. State Department resolutely refused to pursue the case. The CIA station chief in San José, Costa Rica, Joe Fernandez, fronted for the Company's man in Panama, by assisting in covering-up Noriega's role in the crime.<sup>12</sup>

That same year, Carleton E. Turner, then the top White House official on drug abuse, wrote a strongly worded memo to National Security Adviser John Poindexter about Noriega. The memo concluded that Noriega had consolidated control over drug transshipment points in Panama and that drug traffic "doesn't move thru Panama without Noriega and some of his people finessing it."<sup>13</sup> Turner said that Noriega was clearly a national security issue. The memo was one of the factors which caused Poindexter to fly down to Panama to meet with Noriega. Although the substance of the meeting is disputed, Washington officials later claimed that the reason for the visit was to upbraid Noriega for his involvement in narcotics.<sup>14</sup>

Yet the Reagan administration was far from united on whether or not Noriega presented a threat; a shift in policy came slowly and haltingly. In some sectors of the bureaucracy Noriega had open and vehement supporters. His chief defenders were CIA Director William Casey and former CIA official and then-Deputy Assistant Secretary of Defense for Inter-American Affairs Nestor Sanchez.<sup>15</sup>

6. See "The Noriega Connection," *op. cit.*, n. 3.

7. Drug-money launderer Ramon Milian Rodriguez testified on February 11, 1988 that in 1979 Noriega made a deal with the Medellín Cartel to invest cocaine profits in Panama. The Cartel wanted complete security for the drug money after it reached Panama; immediate credit for cash deposits; and access to Panamanian assets (use of diplomatic passports, pouches, and other information). In return Noriega received 1.5% of all money delivered. Milian Rodriguez claims to have laundered \$200 million a month through the Panama-based operation. See Chace, *op. cit.*, n. 4.; also Leslie Cockburn, *Out of Control* (New York: The Atlantic Monthly Press, 1987), pp. 152-53, who quotes Milian Rodriguez on CBS's *West 57th Street*, July 11, 1987.

8. Seymour Hersh, *op. cit.*, n. 5..

9. Jim McGee and David Hoffman, "Rivals Hint Bush...Noriega Ties," *Washington Post*, May 8, 1988.

10. Murray Waas, "Made for Each Other," *The Village Voice*, February 6, 1990.

11. *Op. cit.*, n. 9. Bailey says the information was overlooked because Noriega had become a triple agent working for the CIA, as well as the Cubans and Nicaraguans.

12. *Op. cit.*, n. 10. The State Department wrote to a Spadafora relative that it considered the human rights situation in Panama to be good compared to other countries.

13. *Op. cit.*, n. 9.

14. In Noriega's version of the encounter, Poindexter's purpose was to extract a promise from Noriega to train *contras* which the Panamanian refused to grant. Noriega dates the U.S. hostility from that point on. [Author's conversation with Manuel Noriega, August 3, 1989]. Although the exact content of the meeting may never be known, it is possible that the two different versions can be squared. Poindexter may have used evidence of Noriega and PDF corruption and the threat of exposure as leverage to pry out more cooperation from Noriega in the war against Nicaragua.

15. See for example opinion pieces in the *Washington Post* by Charles Krauthammer and Fred Ikle, March 11, and April 18, 1988, respectively.

## Noriega: Company Asset

What was it that Noriega provided the U.S. national security establishment that made him so valuable? Over the years Noriega's relationship with the U.S. was filtered through various agencies. Until 1986 Noriega worked closely with the CIA, the National Security Council (NSC), the National Security Agency (NSA), and the DEA—the latter officially congratulated him for his efforts to prevent drug smuggling and money laundering in Panama. The coziest relationship was between Noriega and the CIA. CIA Director William Casey acted almost like Noriega's case officer, even inviting him for private meetings at his home.<sup>16</sup> In November 1985,



Credit: Associated Press

**Reagan, Bush, and Casey supported Noriega even though they knew he was deeply involved in cocaine trafficking.**

Casey again brought Noriega to Langley. Although he possessed detailed evidence of corruption and human rights abuses, Casey chose to soft-pedal the matter in his meetings with Noriega. Casey's memo regarding the November meeting "made [it] clear that he let Noriega off the hook" on the corruption issue. After Poindexter admonished Noriega in December 1985, Casey followed up with a more conciliatory approach that undercut Poindexter's message.<sup>17</sup>

In 1985, ultra-right Senator Jesse Helms (Rep.-N.C.) introduced legislation to cut off U.S. aid to Panama. According to a Senate source, "Casey called Helms and urged him to withdraw his amendment. He was very adamant about it. He said Noriega was doing things for the U.S. that Helms didn't know about." At this time the State Department was clearly wary of jeopardizing Noriega's services in the *contra* war and sent a ranking State Department official to convince Helms to withdraw the bill.<sup>18</sup>

Before 1980, the arrangement between the U.S. and Noriega centered on exchanges of money for intelligence. From the early 1970s, Noriega provided data on Latin American armies and on guerrilla movements. During the

16. Andres Oppenheimer, "Ex-aide: Noriega OK'd Contra's Use of Bases," *Miami Herald* February 11 1988; Nancy Cooper, et al, "Drugs, Money and Death," *Newsweek*, February 15, 1988, p. 36

17. Frederick Kempe, "The Noriega Files," *Newsweek*, January 15, 1990.

18. "Drugs, Money and Death," *op. cit.*, n. 16, p. 38.

Reagan era, the NSA vastly increased its intelligence-gathering activities in Panama through U.S. military components based there. By the mid-1980s, the U.S. was capable of monitoring all of Central America and most of South America from its Panama installations. As the site for U.S. Southern Command headquarters, bases for reconnaissance planes, and an NSA listening post, the Canal Zone was described "as an intelligence feast."<sup>19</sup>

The U.S. knew that Noriega was trading information with Cuba that had been gleaned from U.S. intelligence data while, at the same time, keeping tabs on Cuba for the U.S. The consensus in Washington was that the U.S. was getting the better deal or at least enough of a deal to allow it to continue.<sup>20</sup> However, in mid-1983, the U.S. sent members of a secret Army intelligence unit to Panama with orders to spy on and bug Soviet and Cuban facilities. Washington feared that Noriega was passing along highly classified information on U.S. military operations in Central America. The spy mission proved a resounding failure.<sup>21</sup>

During the Reagan administration, the relationship between Noriega and the CIA solidified as a result of Noriega's support for U.S. operations in Central America. In particular, it was Noriega's assistance in William Casey's war against Nicaragua that endeared him to the CIA. Beginning with the Sandinista triumph in July 1979, the U.S. approached the Panamanians to help track the course of the Sandinista Revolution. During the first year Panamanian intelligence on Nicaragua was considered better than that obtained directly by the U.S.<sup>22</sup> As late as 1986, Reagan administration officials noted with satisfaction that Noriega was still providing "sensitive information" on Nicaragua.<sup>23</sup>

Noriega apparently served as more than a passive conveyor of intelligence for the U.S. war against Nicaragua. He allowed the CIA and NSC to set up shell corporations to finance the *contras*,<sup>24</sup> launch spy missions, and send agents into Nicaragua from bases inside Panama. Noriega also agreed to allow the CIA and Pentagon to use Panama as a training site for the *contras*. During the period when the Boland Amendment restricted U.S. aid to the *contras*, Noriega permitted the CIA to use Panama as a transit point for money and arms to circumvent the law. Noriega held more than a dozen meetings with U.S. officials—at least three with Casey and a half dozen with Oliver North—on how he could assist the *contra* war. The

19. *Op. cit.*, n. 17; Hersh, *op. cit.*, n. 1.

20. *Op. cit.*, n. 4.

21. See Stephen Engelberg, "New Book Says Pentagon Failed to Inform Congress of Secret Unit," *New York Times*, March 13, 1988; Steven Emerson, "Secret Warriors," *US News and World Report*, March 21, 1988.

22. "The Noriega Connection," *op. cit.*, n. 3.

23. See Hersh, *op. cit.*, n. 1; for Blandon testimony see, Cooper *op. cit.*, n. 16, pp. 35-36. Frederick Kempe cites a "discovery document"—prepared by the CIA for the North trial—which states that "a Southern Front Resistance leader had received \$100,000 from Panamanian Defense Forces chief Noriega in July 1984," *op. cit.*, n. 17.

24. After 1984, Juan Bautista Castillero, who was Noriega's lawyer, business partner and representative in Geneva, helped set up Udall Research, one of 10 dummy corporations formed by Oliver North and Richard Secord. Udall Research was used to develop a secret airfield in northern Costa Rica near the ranch of John Hull to resupply the *contras*.

most frequent visitor during 1984-85 was Joe Fernandez, CIA station chief in Costa Rica, who relayed Casey's urgent desire for a southern front against Nicaragua.<sup>25</sup>

There is evidence, albeit fragmentary, that as early as 1982, Noriega allowed *contras* to be trained on Panamanian soil and that in response to his cooperation his CIA retainer was increased.<sup>26</sup> Ironically, the evidence lends some weight to Noriega's story that his refusal to train *contras* at Poindexter's request in late 1985 triggered the U.S. campaign to topple him. Bob Woodward reported a meeting between CIA officer Dewey Clarridge and Senator Patrick J. Leahy (Dem.-Vermont) in early 1983, in which Clarridge mentioned an agreement with Noriega to allow the CIA to set up a *contra* training facility. Clarridge warned that the facility must be kept secret for fear of Noriega canceling the agreement.<sup>27</sup>

According to several sources, Noriega made other agreements with the U.S. which allowed the *contras* to be trained in Panama. Former chief of Panamanian intelligence, José Blandon, testified before Senator Kerry's subcommittee that in 1985, Noriega and Oliver North met aboard a yacht in the Panamanian port of Balboa and discussed the issue of training and supplying the *contras*—precisely at the time when the Boland Amendment ban was in effect. Elio Camarena, a former lawyer for the Panamanian Defense Forces, claimed that at about the same time the head of the U.S. Southern Command met with

Noriega to discuss the need for areas outside of the U.S. to be used to train the *contras*. Soon after, the *contras* began training at Panamanian bases near the Costa Rican border and on the Atlantic Coast.<sup>28</sup>

By 1984, Washington began to implement a plan to train unilaterally controlled Latino assets [UCLAs] in unconventional warfare. U.S. Special Forces were to provide their expertise at training sites in Panama and other countries. The Pentagon would thus assume a prominent role in training the *contras* in special warfare and civic action.<sup>29</sup> The fact that

25. *Op. cit.*, n. 10.

26. Noriega's first deposits in his account in the Bank of Credit and Commerce International in 1982 were attributed to a CIA payoff for the training agreement. David Leigh, et al, "Bank Yields Noriega File," *The Observer* (London), June 25, 1989.

27. Bob Woodward, *Veil: The Secret Wars of the CIA, 1981-1987* (New York: Simon and Schuster, 1987), p. 233. See also Howard Kohn and Vicky Monks, "The Dirty Secrets of George Bush," *Rolling Stone Magazine*, November 3, 1988, p. 48.

28. Cooper, *op. cit.*, n. 16; "The Noriega Connection," *op. cit.*, n. 3. Washington stepped up its economic aid right after this. The requests were made because U.S. funds could not be used for training *contras* at U.S. bases in Panama. Although *contra* leader Adolfo Calero denies that *contras* were ever in Panama, (Oppenheimer, *op. cit.*, n. 16) Blandon says the bases were in fact used. He says that the *quid pro quo* was U.S. support for international bank loans, *op. cit.*, n. 4, p. 52; Stephen Engelberg with Elaine Sciolino, "A U.S. Frame-up of Nicaragua Charged," *New York Times*, February 4, 1988.

29. See Robert Matthews, "Sowing Dragon's Teeth," *NACLA Report on the Americans*, July/August 1986, p. 25. See also, *Miami Herald*, June 27, 1986 and October 23, 1986.

bases in Panama were an essential element in the Pentagon's low-intensity conflict strategy probably accounts for the outspoken opposition of Defense officials like Nestor Sanchez to an anti-Noriega campaign that might jeopardize that relationship.<sup>30</sup>

### Operation Black Eagle

The centerpiece of the *contra* resupply effort in Panama was an operation code named "Black Eagle." The project was initiated in late 1982 and lasted until the end of 1985, overlapping with the plans of Oliver North and the CIA to divert secret money from Iranian arms sales to the *contras*. The sinister flip side of Operation Black Eagle was the use of its supply network to ship large amounts of cocaine into the U.S.<sup>31</sup>

Operation Black Eagle was the brainchild of CIA Director William Casey—an off-the-shelf project that was not officially sanctioned by any U.S. agency. Casey enlisted the help of Israeli Mossad agents in Central America to facilitate the

weapons transfer to the *contras* and provide the operation with cover. The person who was called upon to organize this massive aerial gunrunning operation was Mike Harari. Harari, a shadowy former Mossad agent turned "private businessman," had obtained a \$20 million credit from the Israeli government (later repaid by U.S. covert operations funds) to purchase arms for

the *contras*.<sup>32</sup> The operation involved using the Israeli military to purchase Soviet-made arms in Eastern Europe which were then shipped to Panama. From warehouses in Panama the military supplies were periodically flown to *contra* bases in northern Costa Rica or to Ilopango Air Force Base in El Salvador.<sup>33</sup>

After negotiating with Noriega's intelligence chief, José Blandon, in the spring of 1983, Harari brought Noriega into the operation. Soon to emerge as the undisputed leader of Panama, Noriega played a key role in providing airfields, planes, and front companies. In exchange, Noriega was free to broker and protect shipments of cocaine and marijuana on the same fleet of cargo planes used to ship the arms. Three of Noriega's pilots who flew arms to the *contras* had been solicited in 1982 for transport services by the Medellín Cartel:

30. Evidence that Noriega had become part of the *contra* arms supply network comes from a Sandinista official who, in referring to Noriega's cooperation with Washington, declared that "Noriega betrayed us." See, Sam Dillon, "Ortega's Bond to Noriega Puzzles Regional Experts," *Miami Herald*, February 29, 1988.

31. ABC "World News Tonight," April 7, 1988; also see "The Talk of the Town," *The New Yorker*, April 25, 1988.

32. For more on Harari and Noriega see, *Israeli Foreign Affairs*, January 1990; August, 1989; October 1988; August 1988; July 1988; June 1988.

33. ABC "World News Tonight," *op. cit.*, n. 31. Robert Parry with Rob Nordland, "Guns for Drugs," *Newsweek*, May 23, 1988; Stephen Kurkjian and Walter V. Robinson, "Bush Denies Arms-Drug Ties," *Boston Globe*, May 17, 1988.

Floyd Carleton Cáceres, César Rodríguez Contreras and Enrique Pretelt. They also had a history of flying weapons, first to the Sandinistas, then to the FMLN guerrillas in El Salvador. Carleton claims to have been Noriega's liaison to Colombian drug lords and was responsible for collecting their payments. Cuban-American Ramon Milian Rodríguez, an accountant for the Cartel and convicted money launderer, claims that in one period he paid Noriega between \$4-10 million per month for protection of drug and money shipments from Colombia. From 1979 to 1983, the payments totaled \$320 to \$350 million.<sup>34</sup> José Blandon later testified that Noriega cut a deal with U.S. officials—one per cent of the gross income from his drug deals was set aside to buy additional weapons for the *contras*. By mid-1984, Oliver North entered the operation as field coordinator.<sup>35</sup>

Arms dealer Richard Brenneke, whose participation in the enterprise was authorized by then-vice presidential National Security Advisor, Donald Gregg, painted a similar picture of the arms and drugs operation. He claimed that after dropping military supplies in Panama, transport planes would fly to Colombia to pick up cocaine, then take the drugs to the same warehouse where the guns were stored. From there, smaller aircraft would make weekly deliveries of arms to the *contras* and cocaine to the U.S.<sup>36</sup>

The arms distributed through Operation Black Eagle were destined mainly for the *contra* faction, Revolutionary Democratic Alliance (ARDE). Panama's ties to ARDE's leader, former Sandinista-turned *contra* Eden Pastora, go back to the 1970s when Torrijos supported the Sandinistas in their struggle against the Somoza regime. When Pastora broke with the Sandinistas in 1981, he spent a month with Torrijos just before Torrijos was killed in a mysterious plane crash.<sup>37</sup>

In the fall of 1985, Alvin Weeden, a Panamanian lawyer, declared that Noriega had sent Israeli arms to ARDE and had taken a large commission in return. Weeden was speaking as the representative of Hugo Spadafora, who had just left ARDE reportedly because of Eden Pastora's close ties to Noriega.<sup>38</sup>

Given the background of the individuals involved in the resupply operation, it is not surprising that there was a direct connection between arms smuggling for the *contras* and drug smuggling for the Medellín Cartel. Planes flying from Panama

34. Cockburn, *op. cit.*, n. 7, p. 153; interview with Ramon Milian Rodríguez, *Miami Herald*, February 27, 1988. Milian Rodríguez is currently serving a 43-year prison sentence on sixty counts of racketeering and laundering of narcotics money. Carleton, indicted on drug smuggling charges, has testified both to the involvement of the *contras* and to the role of Noriega in drug traffic. His testimony, along with that of Blandon, was an essential factor in the Florida indictments of Noriega.

35. *Op. cit.*, n. 17; Kohn and Monks, *op. cit.*, n. 27. An Argentine arms dealer, Jorge Krupnik, who was involved in Black Eagle, told Blandon that everything in the operation had the full backing of Bush and Gregg.

36. Kurkjian and Robinson, *op. cit.*, n. 33; Allan Nairn, "George Bush's Secret War," *The Progressive*, March 1988.

37. Christopher Dickey, *With the Contras* (New York: Simon and Schuster, 1985), pp. 121-122, 147-148.

38. Jonathan Marshall, Peter Dale Scott and Jane Hunter, *The Iran Contra Connection* (Boston: South End Press, 1987) pp. 99-100; Jane Hunter, *Israeli Foreign Policy* (Boston: South End Press, 1987), p. 150.

were sometimes reloaded at *contra* bases in Costa Rica with cocaine destined for the southern U.S. and the proceeds were split between Noriega and the *contras*.<sup>39</sup> Spadafora gave a detailed description to the DEA of the arms and drug network and Noriega's role in it. This information probably cost Spadafora his life.<sup>40</sup>

A highly classified CIA study confirmed that *contra* leader Eden Pastora assigned one of his top officers to work with the drug traffickers. With the profits from drug sales, ARDE bought a helicopter and \$250,000 of weapons. Another infamous player in this network was John Hull. The CIA used Hull's Costa Rican ranch as a *contra* base and distribution center for weapons. Hull's ranch became a transshipment point for cocaine flights into the U.S.<sup>41</sup> In 1986, Elliott Abrams,



Credit: Les Stone, Impact Visuals

**Manuel Antonio Noriega.**

while denying any involvement by the Honduran-based Democratic Nicaraguan Force (FDN), claimed that the U.S. had evidence implicating ARDE officials in drug smuggling.<sup>42</sup>

The Israelis began to pull back from Operation Black Eagle in 1985 because of disputes with CIA officers in the region. Also, relations between the two intelligence agencies had cooled as a result of the Pollard spy scandal. For more than a year, the Israelis had used Jonathan Pollard to steal U.S.

39. See, for example, "Drug Dealing Charges Threaten Freedom Fighters' Image," *The Central American Report*, January 10, 1986; Joel Brinkley, "Costa Rica Said to Consider Breaking with Nicaragua," and "Contra Crew Said to Smuggle Drugs," *New York Times*, February 28, 1985; January 19, 1987. General Paul Gorman, former head of the Southern Command in Panama testified, "if one wants to organize armed resistance, the most ready source of money, big easy money, fast money, sure money, cash money is the narcotics racket." "Guns, Drugs and the CIA," *op. cit.*, n. 2.

40. *Op. cit.*, n. 10.

41. Robert Parry and Brian Barger, *Associated Press* article reported in *The Central American Report* January 10, 1986. Also see Tony Avirgan, "Covert Operations in Costa Rica," *CovertAction Information Bulletin*, this issue, p. 8.

42. Brian Barger and Robert Parry, "Cocaine, Gun Charges Probed," *The Washington Post*, April 11, 1986.

defense secrets which he then turned over to his Mossad handlers. The fact that Operation Black Eagle was eventually shut down mattered little to the *contra* resupply effort. The Reagan administration had grown bolder in its disregard for the law and the CIA became more confident in running the operation with its own personnel.<sup>43</sup> Panama was becoming less important as a transit point because CIA operative Felix Rodríguez was sending covert military supplies to the *contras* via Ilopango Air Force Base in El Salvador. The drug profits were also less important because Oliver North had recently made millions of dollars from covert U.S. arms sales to Iran.

#### A White House Liability

Eventually, the issue of Noriega's drug connections and corruption was interpreted as a national security problem for U.S. policy makers. The vast web of corruption gave Noriega an independent source of income which he skillfully manipulated to buy the loyalty of key Panamanian Defense Force officials. This rendered the PDF less amenable to the kind of bribery that worked so well in controlling the military elites of other U.S. client-states. Also, U.S. conservatives were again protesting—as they did during the Panama Canal Treaty negotiations—that Noriega's shady pursuits made him an unreliable ally and he could not be trusted with control over the canal. Finally, there were signs that drug corruption was sparking a domestic backlash in Panama which could destabilize the political situation in that country and thus endanger the Canal Zone.

Up to mid-1987, the White House was sending signals to Noriega to curtail both his illicit activities and his independent course of action in Central America. But the situation was now coming apart for Noriega. In June 1987, a top PDF officer, Colonel Roberto Diaz Herrera, publicly denounced the abuses of the Noriega regime. The dramatic accusations triggered massive demonstrations by thousands of Noriega opponents and spurred the formation of an opposition coalition, the National Civic Crusade.

The military used repressive measures in crushing the protests which further raised the specter of future political turmoil in Panama. In the minds of Washington policymakers, this foreshadowed the possibility of a future government unresponsive to U.S. interests in the region. For some time, Panama had been promoting a more radical international posture during an era when much of the region was bowing to U.S. pressure. The Reagan administration also expressed serious concerns about Panama's cooperation with the Eastern Bloc, especially regarding the transfer of high technology.<sup>44</sup> In 1987, Noriega concluded an agreement with the Soviet Union to give landing rights to *Aeroflot* and to create a company to provide dry docks for Soviet fishing boats in both the Pacific and Atlantic Oceans. Even liberal Massachusetts Senator John Kerry accused Noriega of helping the KGB become active in Panama.<sup>45</sup>

Administration hardliners believed for more than a decade

that Torrijos's political project had dangerously flirted with the Left—both domestically and internationally. In 1985, NSC adviser Constantine Menges warned the Reagan administration “that a Noriega-led military regime in Panama would make it far more vulnerable to destabilization and ultimate takeover by radical pro-Cuban/Soviet elements.”<sup>46</sup> Noriega and PDF corruption, together with Panama's relatively independent foreign policy, risked opening the door to “leftwing elements.” Among hardliners in the U.S. national security establishment, Panama was increasingly seen as a weak link in the Caribbean system and an undependable ally within the U.S. sphere of influence. Thus, Noriega's corruption could become an embarrassment for Washington and provoke a conservative reaction against the Canal treaties. The administration was even more worried about the future status of the 14 U.S. military bases in Panama.

Finally, the events of mid-1987 revealed that the threat of a nationalist backlash in Panama was much diminished and there was now at least a loosely organized opposition upon which to pin U.S. hopes.<sup>47</sup> Noriega's ouster of Diaz Herrera, second in command in the PDF, and perceived by the administration as a dangerous leftist, removed another of Noriega's insurance policies.<sup>48</sup> By 1987, the drug issue had translated into a security problem which was in turn subsumed under the general threat that the Noriega regime represented to U.S. hegemony. Panama, a country considered key in U.S. regional strategy, was becoming too autonomous and heading toward a state of destabilization inimical to U.S. interests.

#### Prelude to Invasion

By fall 1987, the administration moved beyond its first step of pressuring Noriega to conform or step down. Following the lead of Reaganite zealot Elliott Abrams, the administration launched what amounted to a variant of its low-intensity warfare strategy (although it might have been more accurately called “high intensity dissuasion”).<sup>49</sup> After Federal grand juries handed down indictments against Noriega in February 1988, the intensity of the campaign increased dramatically. The indictments charged Noriega with having taken \$4.5 million in payoffs by allowing Panama to be used as “way station,

46. Constantine C. Menges, *Inside the National Security Council* (New York: Simon and Schuster, 1988) pp. 173 and 276.

47. The case against Bahamian Prime Minister Lynden O. Pindling was very similar to that of Noriega. In fact, by the later 1980s the Bahamas was a transit point for much more narcotics trafficking than Panama (some 30-50% of the cocaine from Colombia to the U.S.) but officials at the State Department, Customs, and other agencies argued that indicting Pindling could provoke anti-U.S. resentment and could prejudice U.S. security interests and anti-drug efforts in the Caribbean. See, Michael Isikoff, “U.S. Weighs Pindling Indictment,” *Washington Post*, June 25, 1988.

48. According to John Weeks in “Of Puppets and Heroes,” *NACLA Report on the Americas*, July-August 1988, this is considered a significant factor in the timing of the anti-Noriega campaign. See also, John Weeks and Andrew Zimbalist, “The Failure of Intervention in Panama,” *Third World Quarterly*, January 1989.

49. Donald Gregg recalls “...seeing some fairly strong information that was assembled in the middle of '87...” on Noriega and drugs. As a result of that information “...there began to be meetings to see what we could do about Noriega. *Op. cit.*n. 9.

43. Kohn and Monks, *op. cit.*, n. 27.

44. “Drugs, Money and Death,” *op. cit.*, n. 16, p. 38.

45. Chase, *Op. cit.*, n. 4, p. 52.

clearinghouse or haven for some of the world's most violent drug traffickers, including those linked to the assassination of Colombia's Justice Minister, Rodrigo Lara Bonilla."<sup>50</sup>

The Reagan administration not only refused to promote these indictments; it stonewalled the federal prosecutors until the last moment. While creating appropriate propaganda for the anti-Noriega campaign, many officials at the State Department felt that the indictments would undermine U.S. efforts to negotiate Noriega's stepping down. And, of course, the CIA was still withholding its support for the policy. Richard Gregorie, the Assistant U.S. Attorney gathering evidence for the indictments concluded that the "U.S. priority is not the narcotics traffickers but rather it's the clandestine affairs of our intelligence and foreign relations community."<sup>51</sup>

In any event, the indictments swung the last bureaucratic holdouts onto Elliott Abrams's bandwagon. The program now gathered steam: continual military intimidation and provocations; economic and financial sanctions which eclipsed even those applied against Nicaragua; covert money to the Panamanian opposition; and even organizing anti-Noriega *contras* in northern Panama. The U.S. expected that the economic moves and paralyzing of the banking system would finish Noriega in a matter of weeks. When these predictions proved to be premature, Noriega came to symbolize the impotence of the scandal-ridden Reagan administration and later, the irresolution of the Bush administration.

The most unprecedented and successful aspect of the U.S. anti-Noriega program was the disinformation campaign designed to demonize Noriega and reduce the issue to a moral stand against drugs. The administration maintained that as Noriega's behavior became worse, it sought to distance itself from the regime. In fact the reverse was true. Noriega's relationship with the Medellín Cartel had cooled considerably since 1985 and his cooperation in campaigns against drug trafficking and money laundering were winning him letters of commendation from the DEA.<sup>52</sup> As the U.S. increased pressure in 1986, the Medellín Cartel began to shift its operations to other Caribbean transit points like the Cayman Islands. In spite of this evidence, the myth grew that overthrowing Noriega would strike a blow against drug trafficking in the world.

U.S. policy, which was initiated for national security reasons and only indirectly concerned Noriega's drug invol-

50. Phillip Shenon, *New York Times*, February 6, 1988. In January 1988, Stephen M. Kalish, a convicted drug smuggler, testified that he gave Noriega \$300,000 in payoffs in 1983 in return for favors: transit of drugs and money laundering. The general "became a full-scale co-conspirator in my drug operation." *New York Times*, February 5, 1988.

51. In October 1987 Gregorie went to Washington to lay out the results of the investigation and was met with "mixed reaction;" some told him to leave it alone. When U.S. Attorney in Miami, Leon Kellner, went to speak to NSC, people the reaction was "Since when does some assistant U.S. attorney get the authority to make foreign policy?" See "The Noriega Connection," *op. cit.*, n. 3.

52. John Dinges maintains that most of Noriega's activities occurred between 1980 and 1984 — partly because of his increasing exposure through U.S. intelligence, his need for Washington's support, and lucrative alternatives including money laundering, steroid smuggling and kickbacks from the PDF's control of the free port of Colon. See, John Dinges, "Two Noriegas: Trafficker, Law Enforcer," *New York Times*, January 12, 1990.

vement, took on a life of its own. There was no turning back; the door to a negotiated solution was effectively closed by the administration's own logic. A threatened and increasingly hostile Noriega, who would never again feel protected by his value to the DEA and the national security establishment, was clearly a much larger security problem now. The failure of two U.S.-supported *coup* attempts left Washington considerably embarrassed and the preservation of U.S. credibility in the region became paramount. The White House propaganda apparatus worked overtime and Congress and the media expressed not even a hint of skepticism: the case against Noriega was a noble fight against drugs, moral decay, and dictatorship.



Credit: Michael Strojato, Associated Press

#### The aftermath of the U.S. invasion.

When the inevitable "incidents" occurred the weekend of December 15, 1989, the Bush administration hesitated for two days, unsure that it had an adequate cover story for an invasion. The caution was unwarranted — White House propaganda had been so effective that the U.S. public needed little convincing. The U.S. had boxed itself in. Having raised the stakes it risked serious political damage if it did not act.

When paratroopers of the 82nd Airborne Division backed by an invasion force that included 24,000 troops and two F117-A Stealth bombers, landed in the early hours of December 20, 1989 there were few protests in the U.S. Unlike the invasion of Grenada, the media out did each other in parroting the Pentagon's line. Despite restrictions that should have shamed a free press, most journalists ignored civilian casualties and then collaborated in the cover-up of their number.

Just as they had uncritically accepted the silent war of attrition that Washington had waged against Panama during the past two years, the public applauded Bush's disciplining of an unruly colony. As the Cold War wanes and four decades of foreign policy assumptions crumble, it must have been heartening for the Bush administration to achieve this consensus without recourse to the customary anticommunist rhetoric.

For now, with Bush's popularity at an all-time high, the invasion is judged as a roaring success — "a political jackpot." When the Panamanians finally realize that they have not been so much saved as invaded, the true cost of the invasion — to both Panama and the U.S. — will begin to be reckoned. •

# Testimony to an Invasion

*On April 5, 1990, Olga Mejia, President of the National Human Rights Commission of Panama, spoke at the "Voices of Panama" public meeting at the Town Hall in New York City. The following is excerpted from her full presentation.*

The U.S. invasion of Panama perpetrated by the 82nd Airborne Division under the U.S. Southern Command carrying out orders of President George Bush, is an act of genocide, qualifying as a crime against humanity and a violation of the sacred right to live, as affirmed by the Universal Declaration of Human Rights and the internationally recognized Geneva Accords as well as all of the international agreements and enabling protocols that spell out the most basic norms of international coexistence. Just as in Grenada and Vietnam, this was never a "Just Cause."

One hundred days after the invasion, the occupying army continues to operate with impunity and the high cost in human life still remains to be brought to light. Violence, brutality and the abuse of power that cannot even be classified as unconventional warfare is used against the civilian, non-combatant population resulting in death, material losses, physical, and psychological trauma and injury to the integrity of the so-called prisoners of war. Arbitrary and illegal searches and seizures are committed by U.S. soldiers. Panama has been brought into the era of common graves, disappeared people, war refugees, and the ransacking of homes. An independent nation has been forced into submission by a colonizing army.

Chorrillo was a marginalized community of some 20,000 inhabitants. Five entire blocks were bombarded and 25th, 26th and 27th Streets where I was born and spent my early childhood were completely wiped out and converted into a graveyard. At 12:30 a.m.—in the middle of the night—the bombardment, the strafing and machine-gunning, the firing of rockets began. Later came the use of flame throwers, tanks, and the collective mourning.

They began with the bombardment of the Military Headquarters and then with the massacre of the civilian population. They machine-gunned wood-frame and plaster houses. The interiors of the buildings showed the evidence of high-calibre and high-power weapons used against the population as they slept in their beds just before Christmas. The buildings shook, the residents tried somehow to keep the kitchen propane gas tanks from exploding by bringing them into the bathrooms. The windows were shattered. The walls were filled with holes. The people ran huddled from room to room trying to protect themselves from the hail of bullets.

When the fire started, those who tried to get down using the elevators could not because the power had been cut. Many stayed during the early hours of the morning clinging to each other, hugging the walls of the buildings and risked burning to death or being asphyxiated by the smoke.

Many who ran out trying to flee from the fire and the bombardment died in the streets machine-gunned by U.S. troops. Others were burned to death in their homes or killed as their

homes were bombed. Dawn found many dead in the hallways of their buildings, buried under the rubble or dismembered and totally unrecognizable either from the bombs or the flame-throwers, and because their bodies were charred or incinerated by the U.S. troops and thrown into plastic bags along with their identification and personal effects. Afterwards, the soldiers threw some of the bodies into the sea, others were buried in common graves....

Some bodies were completely destroyed as they were run over by tanks. Some bodies were found at dawn inside of cars, charred or completely crushed by tanks. There were hundreds of body parts and fragments of human remains stuck to the walls of the houses and buildings that were thrown into plastic bags to which U.S. troops added chemical substances or were simply treated as garbage that was removed with back-hoes when they cleared away the rubble two weeks later.

There were bodies in the streets of El Chorrillo for nearly a week. The Red Cross was not permitted to recover bodies of either the wounded or the dead to transport them to the hospitals or the morgues. The U.S. troops also opened fire on the ambulances.

It is for this reason that the massacre of Chorrillo and against Panama must not be permitted to spread throughout Central America and the Caribbean, nor to any other brother country. That is why when we are asked by the giant networks who want to see where the 2,000 to 4,000 bodies are buried, in the first place, we tell them that they should have gone to Panama to give a Christian burial to the pieces of flesh and the gallons of blood that were stuck to the walls of buildings or to the unidentifiable human fragments.

At this distance from the invasion, three and a half months later, we still don't know the precise human toll. Figures range between the official figure of 655 and 4,000. The Independent Commission of Inquiry headed by former Attorney General Ramsey Clark estimated the number at between 2,000 and 4,000. The Vicariate of Darien, Kuna Yala and Colon, together with the Episcopal Conference speak of 3,000 and condemn the difficulties in obtaining information. The Catholic Church maintains that according to a confidential and credible source the toll is 655 dead and 2,000 wounded, but exclude from this count those who burned to death, were cremated, crushed under the rubble, those brought to Gorgas [Hospital], those buried in common graves, and all information from the interior. How many do these exceptions exclude?

In reality, the exact figure is not important. What is important is that they are human beings, our compatriots, and we demand to know who they are and where they are.... In addition, there is the loss of autonomy and independence in the governing of the country. How will this be rectified?

The full text of this and other testimony, and up-to-date reports on Panama can be obtained from: The Independent Commission of Inquiry of the U.S. Invasion of Panama, 36 E. 12th St., 6th Floor, New York, NY 10003. Tel: 212-475-3232/ext. 23.

## ANC Activists:

# Inside the South African Government

In October 1989, Sue and Peter Dobson arrived in London via Botswana, one step ahead of South African authorities. For more than ten years, they were ANC activists working with the South African government trying to gain information about the plans and strategies of the security apparatus of the apartheid regime.

Sue Dobson worked as a journalist on several daily newspapers as well as with the South African Bureau of Information. For nine months she covered the Namibian elections and was posted to Windhoek as a member of a South African government covert team whose aim was to undermine SWAPO, discredit the work of the United Nations Transitional Assistance Group (UNTAG), and promote the South African-backed Democratic Turnhalle Alliance (DTA).

Peter Dobson served in the South African Defense Forces (SADF) during his two years of national service and was a lieutenant in the Military Psychology Institute. He then pursued a career in the computing industry and provided the ANC with specific information relating to the sanctions-busting computer purchase strategies and the development of a new command-and-control system for the SADF.

During September 1989, it became clear that they were in danger and the ANC instructed them to leave South Africa. The following is an interview with the Dobsons, conducted by Jane Hunter in March 1990.\*

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**CovertAction Information Bulletin:** Tell us how you came to work for the South African Bureau of Information.

**Sue Dobson:** I'm a completely different person in reality to what I had to project. But [then] I was quite an average white South African middle-class woman. I applied for a job at the Bureau of Information and they accepted me.

I came to interview government ministers in my job and I then became a military correspondent. They flew me up to Namibia and I covered the opening of Parliament. I went through two security clearances without a problem. And I became interested in Namibia. I was also interested in why *they* were interested in Namibia and why they wanted it covered. I knew that they were going to try to subvert the elections in Namibia.

**CAIB:** How did you know it?

**S.D.:** I knew the South African government well enough by then and also we knew that this was in the cards. Anyway, what happened is that I became more and more involved with Namibian affairs. I had a lot of interviews with characters in Namibia. I interviewed Martti Ahtisaari [Leader of the U.N.

\*Jane Hunter, a frequent contributor to CAIB, is the editor of *Israeli Foreign Affairs*. This excellent monthly newsletter is available for \$20/year from IFA, P.O. Box 19580, Sacramento, CA 95819.

team in Namibia]. I interviewed the [South African] Administrator General Louis Pienaar. I went to all the cocktail parties and associated with that circle including the leader of Koevoet, General Hans Dryer.

And SWAPOL [the South West Africa Police] were also very friendly. They took me around the northern area of Namibia. Took me on a Casspir [armored personnel carrier]. Gave me a police escort. Took me to interview various chiefs. Entertained me. And I thought well, 'you know, when you're onto a good thing....' It worked extremely well. I then did a series of interviews which were carried well by the Bureau of Information.

**CAIB:** People put these out to embassies and so forth?

**S.D.:** Yes. I worked for a journal called RSA Policy Review. It also appeared in Afrikaans. I was the chief sub [editor] and the main English writer on that magazine and I was doing this work on Namibia.

I became aware of people within the Bureau who were concentrating on Namibia. They were in the department of Research and Planning and it became clear after getting to know these people on a social basis that they were in fact involved in phony research.

They had front companies in Namibia. They would send people out into the northern areas to do the strangest permutations with opinion polls and then feed them back to committees in the South African government.

**CAIB:** Were these people from intelligence agencies, put in there to do this work or were they psychologists and sociologists?

**S.D.:** The ground workers were basically sociologists or interviewers or interpreters. Their results were fed to multi-disciplinary committees in South Africa. You had people from the department of foreign affairs. You had national intelligence, you had the military.

That was one level of information. But they cottoned onto this and they wanted to boost the image of the DTA, the Democratic Turnhalle Alliance. The way they did this was to discredit SWAPO. This had been going on for several months in the newspapers.

**CAIB:** This had been going on since July 1989?

**S.D.:** Or perhaps even before that. Various press reports were appearing internationally and at home trying to discredit the United Nations. They were also pushing the cause of the DTA.

**CAIB:** How were they generated?

**S.D.:** I subsequently found out after I started talking about Namibia to the person who headed Research and Planning. His name was David Venter and he had a very close relationship with Louis Pienaar, the Administrator General, and a very close relationship with Ahtisaari.

We started talking about Namibia and he said that they

were going to form a special group that was going to go to Namibia in September and stay there until mid-November, until after the elections, to apparently monitor the build-up to the elections and also to give the DTA a fair say. According to him SWAPO was behaving as though they had already won the election. He said that this wasn't acceptable and they wanted to bring out the other side. This was the polite explanation.

And then as we got talking more and more, he said that what was happening was that certain journalists in the South African press and in the international press were being paid to write and to feed these stories.

**CAIB:** Were being paid by the Department of Research and Planning?

**S.D.:** We're not exactly sure which department, but it was the South African government. That's for certain. It could have been an amalgamation of all these departments. He said to me that they had been very successful.

And then it occurred to me that that's what the allegations of SWAPO torture were — that's what the allegations concerning how SWAPO treated their detainees — that's where those stories came from.

He said to me very proudly that people were being reimbursed for writing these stories. They were given the information and then they wrote them and they were furthering the aims of South Africa.

And then he said to me, 'How would you like to be part of this operation?' and I told him, 'Yes I'd like it very much.' He also said to me '3.5 million rand has been set aside by the State Security Council.' They were going to form a multidisciplinary team consisting of people from the department of foreign affairs, from national intelligence, from the defense force, which in itself is a contravention of the [1988 Southern Africa] peace accord, because the SADF is not supposed to be involved in any way. He told me that quite clearly and quite openly.

**CAIB:** They just were out of uniform?

**S.D.:** Absolutely, they were just out of uniform. The Bureau of Information would also be present. My task would be to write stories in English which would be fed through the English press at home and then the international press. Not under my byline, but under the byline of another sympathetic journalist. So it would not be traced back directly to the Bureau or to me. And then my other companion was to feed the Afrikaans press and the Namibian press.

So, I said, 'Fine. I'll go to Windhoek for two months.' I thought 'well now I've got the opportunity to get the insight into this whole operation.' We went in with the full knowledge and cooperation of the administrator general.

**CAIB:** This was when?

**S.D.:** September [1989]. Around the 11th of September we left. And we were to be accommodated in the office of South African interests in Windhoek, which was run by Ambassador Willem Retief, who had previously been in West Germany. He

**He said that certain journalists in the South African press and in the international press were being paid to write and to feed these stories.**

gave us office space and equipment. We were accommodated in a house belonging to the Department of Foreign Affairs — a luxury house in Windhoek. Our bedding was supplied by the SADF. Our food was supplied by the SADF. Medicine was supplied by the SADF.

The people who actually made up the contingent were two officers from military intelligence, one of them called Botha Marais — I'm not sure of his rank; the other was colonel Connie von Rensberg. There was David Venter, who went with us, who led the delegation. There was myself and there was another journalist from the Bureau of Information, Marlene Cromberg. She was to handle the Afrikaans copy. And there was a man from national intelligence whose name was Rob Smith. He basically kept an eye on the workings of the whole contingent.

Our task specifically was to promote the image of South Africa as a peacemaker, to promote the DTA and to publish what they called 'the truth' about SWAPO — to present people who allegedly had been tortured by SWAPO. One such interview was apparently set up by someone who alleged to have been tortured by SWAPO. The person who did the interview said, 'That looks like a set-up to me.' So, I mean, if she had realized it herself....

**CAIB:** Did she write about it anyway?

**S.D.:** I believe she did. I don't know what the consequences were.

They wanted to take this person who had allegedly been tortured to West Germany because a great deal of the publicity about SWAPO's alleged atrocities had come in the West German press.

**CAIB:** Which meant that one of the journalists who was getting paid in Namibia was working for a West German paper.

**S.D.:** That's right. Absolutely right.

**CAIB:** Do you know what paper?

**S.D.:** We don't know. Unfortunately, I never had access to the German publications because I might have picked up the train. But photographs were apparently taken of this person.

The other thing that they had us do — this was around the time of Anton Lubowski's murder — was to defame Anton Lubowski by saying that he had been murdered by a faction within SWAPO. That there had been dissent in the ranks of SWAPO, there had been a power struggle and they had arranged for his assassination.

We were supposed to find partiality on the part of UNTAG toward SWAPO. We were supposed to produce photographs of how UNTAG had given SWAPO supporters a lift to the airport when Sam Nujoma arrived. And national intelligence was going to manufacture these photographs. I would take them to UNTAG and say 'Here's proof.' We would get UNTAG's comment and then that would be dispersed internationally.

**CAIB:** And that actually happened?

**S.D.:** I don't know. At the time that I left, the process had

got underway. The photographs were being manufactured.

**CAIB:** In Namibia?

**S.D.:** In Namibia, by the national intelligence and military intelligence who were cooperating on this. We were also supposed to deal with things about UNTAG personnel; we were to defame them, personally, with allegations about extramarital affairs and connections to other political organizations.

**CAIB:** Nothing terribly original then?

**S.D.:** No, but vicious, nonetheless. And we were also to promote the image — this is a very important part of the whole thing — that SWAPOL was a just and effective police force and that Koevoet members had been successfully incorporated into the regular police functions — which of course they hadn't been. The amount of terrorizing that was going on in the north was testament to the fact that they hadn't been.

Those were the main outlines of the operation. And I went up to the north, to do some work with SWAPOL, to write an article about Koevoet and how they'd been well incorporated and when I returned after a few days in the north, I was warned [by the ANC] to get out. That's the outline of it.

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During our interview, Peter Dobson talked about a sanctions-busting deal concluded last year that will bring IBM expertise to CSIR, the state-owned Council on Scientific and Industrial Research, a think tank working on both civilian and military technology. One current CSIR project, noted Dobson, was "a feasibility study for South Africa developing her own missiles for a missile and satellite program."

**Peter Dobson:** My consulting company was involved in a very major tender [contract] for a consulting company to help CSIR review their computer requirements for the future. One of the conditions for the tender was that it would be a joint contract between a South African company and an international company. The companies which got involved were the big accounting companies — Peat Marwick, Arthur Anderson, Touche Ross. The companies to win were IBM and Arthur Anderson.

**CAIB:** IBM is doing this now?

**P.D.:** It is, through ISM. [Information Systems Management Ltd., is the South African company formed to buy out IBM when it divested, and is now the sole South African distributor for IBM.]

**CAIB:** What did you learn in the course of the bidding process and were you directly involved?

**P.D.:** I wasn't directly involved. The company was involved. I was working on a different project at the time. What they were looking for was both their internal administrative requirements — to run their accounting systems and their payroll system — but to coordinate that as well with their technical requirements, where they're using equipment for research purposes in engineering and science.

**CAIB:** Are you saying that IBM and Arthur Anderson have won a major contract with CSIR, which involves them in supplying the South African military?

**P.D.:** The contract which they won was not to supply equip-

ment. It was to supply expertise and consulting in order to set up long-term directions. CSIR has taken a long-term view of computer technology and they've understood very clearly that IBM is the major player in that market for the future. And the reason why they awarded the contract to IBM...is because they want to create as close a relationship as they can with IBM, so that they understand where IBM is going with their technology and how they can draw on that.

**CAIB:** What kind of money was involved? Was the bid awarded on the basis of the lowest figure?

**P.D.:** No. The deal was structured in terms of the local company and the international company being paid separately. It was not that big locally; it was about \$250,000. Internationally, I'm not sure. But the amounts are not that significant, because it's really a few key individuals giving advice. And I think all the players in the bidding were trying to hold down their bids because they saw it as opening doors for big businesses to come in over the next 15 years.

**CAIB:** Would it be a few key individuals from IBM itself?

**P.D.:** For sure. When they were evaluating the bids, they were visiting the international partners. So they visited PA Consulting in London. They visited Touche Ross in the States. They visited IBM in the States. And obviously, they were being given reassurances as to what those people would deliver.

**CAIB:** IBM, which was applauded for divesting from South Africa, was going to send its own people to advise on something that is closely connected to the South African military?

**P.D.:** The divestment of IBM is all in name and not in substance. All the equipment is there. The expertise is there. The software is there. IBM is not merely a computer manufacturer; it's also one of the biggest banks in the world and one of the biggest law firms in the world. They've got the legal expertise to know how to set up the relationship in a way which is very difficult to pin them down under the sanctions legislation. So they might not go to the extent of flying senior IBM experts to South Africa.

It might be done through South Africans going to the U.S., through third countries, through South African ISM employees going to the U.S., getting the expertise, going back and reporting to the CSIR.

Certainly they've been setting up the conduits to do that. Through this contract establishing the relationship between CSIR, ISM, IBM, and Arthur Anderson, there are a number of very important people creating a relationship. How they'll shape and how they'll manage it is difficult to predict and it will probably change over time. As they come under pressure in one area, they'll probably shunt it off to another area.

**CAIB:** What questions do you think IBM should be required to answer about this particular contract?

**P.D.:** My view is that the South Africans have already set up all the channels they need in order to get all the latest computer equipment that they need from IBM and other suppliers. And the only way to prevent that equipment from falling into the hands of the security establishment, the repressive establishment in South Africa, is to cut off the technology, full stop. I think that the only way to do this effectively is comprehensive sanctions enforced by national governments. •

## Secretive Rightwing Group:

# The Council for National Policy

by Russ Bellant\*

The Council for National Policy (CNP) is a secretive group of the foremost rightwing activists and funders in the United States. Morton Blackwell of the CNP has said, "The policy [of CNP] is that we don't discuss who attends the meetings or what is said." Its membership, meetings, and projects are all secret, even though the group enjoys tax-exempt status. It focuses largely on foreign policy issues.<sup>1</sup>

The Council actually has two related organizations, the Council on National Policy, the tax-exempt 501(c)3 membership group, and CNP, Inc., a 501(c)4 element set up in 1987. The latter group will allow the parent Council to lobby without jeopardizing its tax-exempt status. Since the CNP maintains a very low visibility, it is likely that members lobbying at the behest of CNP or CNP, Inc. will use the names of other groups with which they are affiliated.<sup>2</sup>

Individuals pay \$2,000 per year to be a member of the CNP. For \$5,000, one can become a member of the Council's Board of Governors, which elects the executive committee of CNP. That executive committee then selects the officers on an annual basis. Members of CNP are encouraged to give part of their membership fee to CNP, Inc.<sup>3</sup>

### Origins of the CNP

The origins of the CNP are not found in mainstream conservatism or the traditional Republican Party, but in the nativist and reactionary circles of the Radical Right, including the John Birch Society (JBS). The view on the Radical Right that an organization such as CNP was needed stemmed from their perception that the Council on Foreign Relations (CFR) – closely identified with the Rockefeller family – was selling out American interests in the pursuit of an imagined leftwing foreign policy agenda. This conspiratorial critique was begun in earnest about thirty years ago by the John Birch Society. In 1971, the Society promoted *None Dare Call it Conspiracy*, a book that identified the CFR as pro-communist.<sup>4</sup>

\*Russ Bellant is a researcher who has written extensively on the rise of the New Right in the U.S. This article is excerpted from a recent monograph published by Political Research Associates entitled, "The Coors Connection: How Coors Family Philanthropy Undermines Democratic Pluralism." It is available for \$7.50 (Mass. residents add .30 sales tax) from Political Research Associates, 678 Massachusetts Ave., Suite 205, Cambridge, MA 02139.

1. Greg Garland, "North was member of private group once based in Baton Rouge," (*Baton Rouge*) *State Times*, January 8, 1987, p. 1A; CNP Board of Governors Meeting, List of Member Participants, Dallas, TX, August 17–18, 1984; Executive Committee Meeting, CNP, Baltimore, MD, May 12, 1989.

2. Author's contact with a source close to CNP.

3. Board of Governors Meeting, List of Member Participants, Dallas, TX, August 17–18, 1984; author's contact with a source close to CNP.

4. Gary Allen, *None Dare Call it Conspiracy* (Seal Beach, California: Concord Press, 1971), pp. 87, 98, 105; American Opinion Wholesale Book Division Order Form, March 1972.

The New Right played an important role in the 1980 election of President Ronald Reagan and sought to consolidate its gains by expanding its institutional presence in Washington, DC. New Right leaders created the CNP in part to develop alternative foreign policy initiatives to oppose those offered by the Council on Foreign Relations.

The CNP organizes support for confrontational policies long sought by Radical Rightists and ultra-conservative hawks. Support for the "Reagan Doctrine" of so-called "low-intensity" warfare was one outgrowth of this effort. The CNP also addresses domestic social and cultural issues. In many foreign policy matters and domestic issues, the CNP frequently reflects a slick, updated re-packaging of Birch Society philosophy.

The Birch influence on the political goals of the CNP is significant because the JBS was with CNP from the beginning. Nelson Bunker Hunt, a prime mover in CNP's founding, was on the Birch Society's national council. By 1984, John Birch Society Chairman A. Clifford Barker and Executive Council Member William Cies were CNP members. Other JBS leaders also joined the Council. Five board members of Western Goals, essentially a JBS intelligence-gathering operation – and later used to funnel aid to the Nicaraguan *contras* – joined the CNP as well.<sup>5</sup>

### The CNP Today

The CNP was founded in 1981 when Tim LaHaye, a leader of Moral Majority, proposed the idea to wealthy Texan T. Cullen Davis.<sup>6</sup> Davis contacted billionaire Nelson Bunker Hunt, and from that point on they began recruiting members. By 1984, the Council had 400 members.<sup>7</sup>

Joe and Holly Coors were early members of the CNP. Their names appear on a 1984 confidential list of members. Also on the list is Lt. Colonel Oliver North, retired generals John Singlaub and Gordon Sumner, and other *contra* network supporters such as former ambassador Lewis Tambs, Louis (Woody) Jenkins, and Lynn (L. Francis) Bouchey. Sumner,

5. Harry Hurt, *Texas Rich* (New York: Norton, 1981), p. 369; CNP Board of Governors Meeting, Dallas, TX, August 17–18, 1984; CNP Executive Committee Meeting, Baltimore, MD, May 12, 1989. For connections between CNP and Western Goals, compare CNP Board of Governors list with *Western Goals Report*, Spring 1984, p. ii, listing Western Goals Advisory Board members.

6. Davis gained national headlines during this period because he had just been acquitted of charges of murdering his stepdaughter and masterminding a murder-for-hire scheme.

7. Greg Garland, "Conservative Council for National Policy got off to unlikely start," (*Baton Rouge*) *State Times*, January 8, 1987, p. 6A; *Newsweek*, July 6, 1981, pp. 48–49, quotes LaHaye, "We must remove all humanists from public office and replace them with pro-moral political leaders." In his newsletter, *Capitol Report*, July 1989, p. 1, LaHaye reiterated this view.

Tambs, Bouchey, and CNP member Frank Aker are also leaders of the Council for Inter-American Security (CIS), a group with ties to the Rev. Sun Myung Moon's far-flung political network.<sup>8</sup>

The first president of CNP, from 1981-82, was founder Tim LaHaye, a militant anti-humanist who once criticized Michelangelo and Renaissance art for its nude figures, which he claimed were "the forerunner of the modern humanist's demand for pornography...."

LaHaye and others brought together representatives from the Religious Right, the White House, elected officeholders,



Credit: Free Congress Foundation

**Paul Weyrich, a reactionary rightist, is an influential member of CNP.**

the political Right, and rightwing businessmen. The CNP's first executive director, Louisiana State Representative Woody Jenkins, told members, "I predict that one day before the end of this century, the Council will be so influential that no President, regardless of party or philosophy, will be able to ignore us or our concerns or shut us out of the highest levels of government."<sup>9</sup>

Council members who are willing to discuss the CNP at all describe its main function as a forum for bringing activists and wealthy funders together to plan projects of mutual interest. One member said that the 1985 campaign to pressure Reagan to fire Secretary of State George Shultz (for not being sufficiently supportive of South Africa) began at a CNP meeting.<sup>10</sup>

Although a former staffer told a Baton Rouge newspaper that Oliver North never directly asked for money, North did make the *contras'* needs known to CNP members. He addressed their quarterly meetings at least three times in the mid-1980s, once distributing pictures of a Nicaraguan airfield. Ellen Garwood, who was active in the World Anti-Communist League (WACL) and donated funds to the *contras*, told the

8. CNP Board of Governors Confidential Mailing List, Baton Rouge, 1984, for use until January 1, 1985; CIS letterhead, May 1989; Inter-American Security Educational Institute Speakers Bureau, no date.

9. *Newsweek*, July 6, 1981, p. 49; (Baton Rouge) *State Times*, January 8, 1987, p. 1A.

10. Author's confidential interview, CNP member.

congressional Iran/*contra* committee that she first met Oliver North at a CNP meeting.<sup>11</sup>

Tom Ellis succeeded LaHaye in 1982 as president of the CNP. Ellis is a top political operative of Jesse Helms, running various political organizations that make up the Helms empire. Ellis was a director of one of the groups which supports the Helms network—the Pioneer Fund, a foundation which financed efforts to prove that African-Americans are genetically inferior to whites. Ellis has said, "The eventual goal of this movement [racial integration] is racial intermarriage and the disappearance of the Negro race by fusing into the white." While Ellis has since disavowed his segregationist position, his associates in the Helms organizational network are still tied to the Pioneer Fund board and receive Pioneer funds.<sup>12</sup>

Recipients of Pioneer grants have included William Shockley, Arthur Jensen, and Roger Pearson. Pearson has written that "inferior races" should be "exterminated." All three, and others, were funded during Ellis's directorship on the Pioneer board. Ellis served on the CNP's thirteen-member executive committee with Holly Coors, Paul Weyrich, and Heritage Foundation president Edwin Feulner until June 1989. Oliver North and Reed Larson of the anti-union National Right to Work Committee recently joined the executive committee.<sup>13</sup>

After Ellis's one-year term as president of CNP in 1982-83, he was succeeded by Nelson Bunker Hunt, Pat Robertson, and Richard DeVos of the Amway Corporation. Some of the other board members of the Council for National Policy also have colorful pasts.<sup>14</sup>

**CNP and the Free Congress Foundation**

The Free Congress Foundation (FCF), a key New Right organization working on both domestic and foreign policy issues, has substantial ties to the Council for National Policy. FCF's Connie Marshner and eleven of seventeen of the Free Congress directors are also CNP members. Paul Weyrich is the CNP's Secretary-Treasurer.<sup>15</sup>

- Paul Weyrich, established the Committee for the Survival of a Free Congress, from which evolved the Free Congress Foundation, both political action organizations. Weyrich then established the Heritage Founda-

11. Greg Garland, "North was member of private group once based in Baton Rouge" (*Baton Rouge*) *State Times*, January 8, 1987, p. 1A; U.S., S. Rept. No. 100-216 and H. Rept. No. 100-433, *Report of the Congressional Committees Investigating the Iran-Contra Affair with Supplemental, Minority and Additional Views*, 100th Cong., 1st Sess. (Washington DC: Government Printing Office, 1987), p. 97.

12. CNP Quarterly Membership Meeting Program, Orlando, FL, February 3-4, 1989; Thomas B. Edsall and David Vise, "CBS Fight a Litmus Test for Conservatives," *Washington Post*, March 31, 1985, p. A1; Thomas B. Edsall and David Vise, "Battle for CBS Takes On Air of Mudslinging Contest," *Washington Post*, March 31, 1985, p. A16.

13. *New York Times*, December 11, 1977, p. 76; (*Louisville, KY*) *Courier-Journal*, October 16, 1977; Pioneer Fund, IRS 990-PF, 1976; Roger Pearson, *Eugenics and Race* (London: Clair Press, 1966), p. 26; CNP Quarterly Membership Meeting Program, Orlando, FL, February 3-4, 1989; *The Five Minute Report*, May 26, 1989.

14. All members of the CNP listed here appear on the Board of Governors Confidential Mailing List, Baton Rouge, 1984; CNP Quarterly Membership Meeting Program, Orlando, FL, February 3-4, 1989.

15. Compare FCF Annual Report, 1988 with CNP Quarterly Membership Meeting Program, Orlando, FL, February 3-4, 1989. For more on FCF see, "The Coors Connection," Political Research Associates, Cambridge, MA.

tion as a tax-exempt research counterpart to the FCF. He was helped in both these ventures with substantial funding from the Coors Foundation.

- Connie Marshner has participated in activities of the rightwing evangelical Word of God through the Allies for Renewal. Marshner is on the steering committee of the Coalition on Revival (COR) and the executive committee of Anatole Fellowship. She also works with the National Pro-Family Coalition which operates out of FCF offices.
- John D. Beckett, President of Intercessors for America (IFA) and, with Connie Marshner, a member of the COR steering committee. Intercessors' newsletters indicate that the group is involved with shepherding discipleship cult leaders, as does Beckett's COR leadership position. The newsletters also express concerns about Freemasonry.

IFA directs supporters to pray for Star Wars and "godly" governments and candidates. IFAers were also encouraged to "Pray for the Pretoria government, especially President Botha and President Reagan...", as well as for the Intercessors branch in South Africa. Beckett is also on the CNP's Board of Governors. IFA has been supported by the Coors Foundation.<sup>16</sup>

- Richard DeVos, president of Amway Corporation. Also a member of CNP's executive committee and Board of Governors, DeVos was CNP's president from 1986-88. He was an early backer of behind-the-scenes efforts in the mid-1970s to stimulate the religious Right to make the U.S. "a Christian Republic." Avon Products, in a letter to DeVos rebuffing Amway's attempted takeover of Avon, recently called Amway "morally bankrupt and criminally corrupt," saying also, "Your company is an admitted criminal.... Your corporate culture is marked by zealotry." DeVos also serves on the Chairman's Council of the Conservative Caucus, a group closely allied with rightwing and white supremacist elements in southern Africa. Conservative Caucus spends much of its efforts aiding these elements.<sup>17</sup>
- Thomas A. Roe, one of the fifty-five members of CNP's Board of Governors, and a board member of International Policy Forum (IPF), another group headed by Weyrich. Roe is active in a number of far-Right groups and chairman of the Roe Foundation.<sup>18</sup>
- Richard Shoff, owner of Lincoln Log Homes in North Carolina. A former Ku Klux Klan leader in Indiana, Shoff is a financial supporter of High Frontier, a Star Wars group allied with a tiny occult group headed by Elizabeth Clare Prophet called the Church Universal

16. *Intercessors for America Newsletter*, September 1986; *Intercessors for America Newsletter*, January 1989, p. 1; *Mother Jones*, February/March 1981; COR letterhead, April 1989; Adolph Coors Foundation Annual Report, 1988; CNP Executive Committee Meeting, Baltimore, MD, May 12, 1989.

17. *Detroit Free Press*, May 18, 1989, p. 1; *Mother Jones*, February/March 1981, p. 34; Conservative Caucus letterhead, June 1989.

18. CNP Board of Governors Meeting, List of Member Participants, Dallas, TX, August 17-18, 1984.

and Triumphant. Shoff also supports the Conservative Caucus, a group which cheerleads for the *apartheid* regime in South Africa. Shoff was recently implicated in a questionable fund raising scheme shut down by the Attorney General of Illinois. Funds collected under the name "Children with AIDS Foundation" were slated to support a homophobic rightwing religious activist, Rev. H. Edward Rowe, and a group of private investors, but were allegedly paid to investors and fund raisers, with

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### IFA directs supporters to pray for Star Wars and "godly" governments and candidates.

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no funds spent on any actual projects.<sup>19</sup>

- John McGoff, exposed as a partner in a secret South African government attempt to buy newspapers in the U.S. as covert propaganda outlets. McGoff serves on the editorial advisory board of the *Washington Times* which frequently supports the South African *apartheid* government in news and editorial columns. The *Washington Times*, part of Moon's Unification network, received an award from the Council for National Policy in 1984.<sup>20</sup>
- Don McAlvany, a frequent traveler to South Africa, has held meetings with South African military and police groups to organize pressure to get the South African government to disavow the Alvor accords that ended its warfare against Angola and SWAPO on April 1, 1989.

While in South Africa, McAlvany suggested that someone might want to kill Archbishop Desmond Tutu, but immediately retracted the statement. He is a contributing editor to the John Birch Society's weekly, *New American*.<sup>21</sup>

McAlvany said about Tutu, "The least you can do is remove the idiot's passport and not let him travel over to our country, and somebody might want to even shoot

19. *Charlotte Observer*, March 9, 1986; *Indianapolis Star*, March 30, 1973, p. 1. The film, *High Frontier*, produced by the organization High Frontier, credits Lincoln Log Homes with providing financial support for the film. The religious cult, Church Universal and Triumphant (CUT) is discussed in *Los Angeles Times*, February 11, 1980, pt. 2, p. 1. In 1988, Gene Vosseler, chairman of CUT Department of Theology, made a nation-wide tour on behalf of High Frontier (*High Frontier Newswatch*, April 1988, p. 8; *Los Angeles Times*, April 2, 1980, pt. 2, p. 5); AIDS fund raising scheme revealed in *Chicago Sun-Times*, January 21, 1990, p. 22.

20. *New York Times*, March 23, 1988. According to reporter Murray Waas, South Africa bought into a secret partnership arrangement with the *Washington Times* in 1982 (*National Reporter*, Winter 1985, p. 19). McGoff was investigated briefly by the Justice Department for allegedly acting as an unregistered agent of the South African regime, but no charges were filed.

21. *New American*, July 3, 1989, list of contributing editors; *The Nation*, September 26, 1988. See also McAlvany's letter and *The Nation's* reply on November 14, 1988.

him—I repeal that. I don't say shoot him.... Somebody ought to do something to make him stop what he's doing." McAlvany said in his letter of complaint that *The Nation* had "attributed to me a most damaging and inaccurate statement, one that does not reflect either my actual views or my complete remarks on the occasion cited."

- David Noebel, now with Summit Ministries and a former Associate Evangelist of Billy James Hargis' Christian Crusade, which built itself in part during the 1950s through racist appeals, primarily in the South. Noebel wrote two books in the 1960s: *Communism, Hypnotism and the Beatles* and *Rhythm, Riots and Revolution*. The latter book attempted to prove that folk music was a communist plot.<sup>22</sup>
- Robert Weiner, head of Maranatha, a "shepherding discipleship" religious cult. Directs members to do political work for rightist causes and candidates.<sup>23</sup>
- R.J. Rushdoony, ideological leader of the "Christian Reconstruction" movement. Advocates that Christian fundamentalists take "dominion" over the U.S., abolish democracy, and institute the death penalty for children who disobey their parents. According to *Christianity Today*, Rushdoony also believes, "True to the letter of Old Testament law, homosexuals...adulterers, blasphemers, astrologers, and others will be executed." He believes there is no need for the U.S. Constitution and calls democracy a "heresy." Rushdoony was a featured speaker at a 1983 Free Congress Foundation Conference on Criminal Justice Reform. FCF's conference literature described Rushdoony as a "prominent Christian writer."<sup>24</sup>
- Rev. Jerry Falwell, for many years leader of the Moral Majority and major force in the televised evangelical movement.
- Ron Godwin, formerly second in command at Moral Majority, now an executive for the Reverend Sun Myung Moon's *Washington Times* newspaper.<sup>25</sup>
- Morton Blackwell, who also has received Coors support for a number of years, is president of International Policy Forum (IPF). IPF trains rightwing conservatives around the world in New Right political techniques. A long-time associate of Paul Weyrich, who chairs IPF, Blackwell was one of the New Right activists attempting to take over the American Independent Party in 1976. To his credit, he was the foremost voice opposing

22. Gary K. Clabaugh, *Thunder on the Right: The Protestant Fundamentalists* (Chicago: Nelson-Hall Co., 1974), pp. 47, 102, 127; *Group Research Report*, July 30, 1963, pp. 55-56; *Group Research Special Report on Dr. Billy James Hargis*, October 10, 1962.

23. *Wall Street Journal*, August 16, 1985, p. 1.

24. *Christianity Today*, February 20, 1987, p. 17; FCF Institute for Government and Politics, Conference on Criminal Justice Reform Program, Arlington, VA, September 27, 1983.

25. *Washington Times*, December 7, 1987, p. 5.

## "True to the letter of Old Testament law, homosexuals...adulterers, blasphemers, astrologers, and others will be executed."

the 1976 GOP's electoral collaboration with neo-Nazi cult leader Lyndon LaRouche. Recently, his Leadership Institute has provided political training to members of Maranatha, the shepherding cult.<sup>26</sup>

- Don Wildmon, whose campaign against the movie "Last Temptation of

*Christ*" was charged with using anti-Semitic propaganda, is a member of the steering committee of COR. Wildmon has claimed that Universal Studios is "a company dominated by non-Christians." Wildmon also threatens television networks with boycotts for "indecent" content in their programs.<sup>27</sup>

- Phyllis Schlafly, a leading anti-feminist who first came to national attention as an ardent anti-communist claiming that the Republican Party was controlled by an elaborate conspiracy of bankers and financiers who were assisting a global communist conquest. In *A Choice Not an Echo*, Schlafly says that the "New York kingmakers...some of whom profess to be Republicans...favor aiding and abetting Red Russia."<sup>28</sup>

A figure of special note among unsavory characters in the CNP is Robert K. Brown, publisher of *Soldier of Fortune* (SOF) mercenary magazine. *Soldier of Fortune* has regularly praised pro-Nazi individuals and groups, and promotes the sale of Nazi regalia. SOF started in 1975 in sympathy with the racist regime of Rhodesia. In recent years, SOF staff have trained Salvadoran military units in urban warfare.<sup>29</sup>

While it should not be argued that the CNP is a creation of the Birchers, its very existence is a testament to the success of the JBS goal of creating a rightist counterpoint to established power. The CNP has become a player in mainstream political life in the United States. Ambassadors, prominent public figures such as Milton Friedman, members of Congress and the executive branch have addressed CNP meetings. James Quayle, father of the Vice President, and other key political supporters of Dan Quayle have been nominated for CNP membership, as the Council seeks to expand its influence.<sup>30</sup> The CNP continues to selectively expand its membership. Even though Ronald Reagan is no longer president, the far-right remains a powerful force in U.S. politics. ●

26. *Wall Street Journal*, August 16, 1985, p. 1; *The Right Report*, November 19, 1976, pp. 1-3; *The Right Report*, December 17, 1976; *The Right Report*, May 6, 1977; *Human Events*, September 11, 1976, p. 3; CNP Board of Governors Meeting, List of Member Participants, Dallas, TX, August 17-18, 1984.

27. *Boston Globe*, September 14, 1988; *Freedom Writer*, Vol. 6, No. 3; *Manhattan Inc.*, July 1989; COR letterhead, April 1989.

28. Phyllis Schlafly, *A Choice Not an Echo*, 3rd ed. (Alton, Illinois: Pere Marquette Press, 1964), pp. 6, 25-26, 112-113.

29. "O'Duffy's Irish Legion: Blue Shirts and Shamrocks in Spain's Civil War," *Soldier of Fortune*, March 1985, p. 74; *Soldier of Fortune*, August 1984, pp. 50-52; CNP Board of Governors Meeting, List of Member Participants, Dallas, TX, August 17-18, 1984; Brown, who has made donations of at least one hundred dollars for four of the last five years would automatically be considered an associate member of CNP.

30. CNP Executive Committee Meeting, Baltimore, MD, May 12, 1989, election of new members.

# The Murder of Martin Luther King Jr.

by John Edginton and John Sergeant

*Editors' Note: In April 1988, John Edginton, a British independent film maker, began an inquiry into the circumstances surrounding the death of Dr. Martin Luther King Jr. Edginton had just completed a film about King's life ("Promised Land") and was intrigued by comments by King's friend, the Rev. Ralph Abernathy, that King was murdered by government forces. By January 1989, Edginton had gathered enough evidence disputing the official verdict that BBC Television agreed to fund a documentary: "Who Killed Martin Luther King?" John Sergeant joined the team as associate producer. The film aired in England in September 1989 and on cable television in this country in March 1990. The following article is derived from information gathered in their investigation and raises questions about government complicity in the assassination of the civil rights leader.*

## Introduction

Equivocation, uncertainty, and doubt have never been fully dispelled with respect to the untimely death of Martin Luther King Jr. in 1968. This could be put down in part to the intensity of public suspicion over the killing of President John F. Kennedy. But suspicions linger primarily because of the inherently unconvincing nature of the official version of events.

In an apparently *bona fide* effort to lay these ghosts to rest, the House of Representatives Select Committee on Assassinations (HSCA) concluded an investigation in 1979 which reaffirmed the guilt of convicted assassin James Earl Ray but conceded the probable existence of a conspiracy behind him—headed by a group of St. Louis businessmen with ties to organized crime. It referred its leads to the Justice Department which quietly closed the case in 1983.

However, new revelations clearly demand official answers. The case should now be reopened and the whole 22-year saga of James Earl Ray's conviction and imprisonment should now be rigorously reviewed.

The first important new revelation involves Jules Ron Kimble, a convicted murderer serving time in a federal prison in Oklahoma. In a recent interview, Kimble admitted being intimately involved in a widespread conspiracy that resulted in the assassination of King. He said that this conspiracy involved agents of the FBI and the CIA, elements of the "mob," as well as Ray. In the late 1970s, investigators for the HSCA interviewed Kimble but, according to their report, he denied any knowledge of the murder. Now, for the first time, Kimble publicly admits participating in the assassination.<sup>1</sup>

Kimble, a shadowy figure with ties to the U.S. intelligence

1. Kimble made this admission while being interviewed for the film documentary *Who Killed Martin Luther King?* The interview took place at the El Reno Federal Penitentiary, El Reno, Oklahoma, in June 1989.

community and organized crime, corroborates much of Ray's self-serving story. He alleges that Ray, though involved in the plot, did not shoot King and was in fact set up to take the fall for the assassination.<sup>2</sup>

Jules Kimble, in implicating the mob and the CIA in the assassination, claims to have introduced Ray to a CIA identities specialist in Montreal, Canada, from whom Ray gained four principal aliases. In August 1989, a former CIA agent serving in Canada around the time of the King assassination, confirmed that the CIA did indeed have such a false identities specialist operating out of Montreal in the late 1960s.<sup>3</sup>

An investigation by Dr. Philip Melanson revealed that the identities that Ray adopted during the period of the assassination were far more elaborate than previously realized. Melanson concluded that in at least one instance, Ray's alias could only reasonably have derived from a top secret security file accessible only available to military and intelligence agencies.<sup>4</sup>

Finally, Ray who has been protesting his innocence for over 20 years, has always claimed that he was set up for the assassination by a mysterious "handler" called Raoul whom he had first encountered in Montreal nine months before. The former CIA agent who served in Canada named the agency's Montreal identities specialist at the time as Raoul Maora.<sup>5</sup>

Jules Ron Kimble cannot be dismissed out-of-hand. For a start he has a long record of mob activity and violence, often with political overtones. He is currently serving a double life sentence in El Reno, Oklahoma, for two murders he admits were political. He has proven links to the Louisiana mob empire of Carlos Marcello (frequently accused of involvement in political assassination) and admits to having done mob-related work in New Orleans, Montreal, and Memphis during the late sixties—three key cities in Ray's odyssey.<sup>6</sup>

Investigative records from the period confirm Kimble to have been involved with the underworld and the KKK, to have been in Montreal in the summer of 1967, and to have been called in for questioning in connection with the Kennedy assassination by then-New Orleans District Attorney, Jim Garrison. During this questioning, Kimble admitted being linked to the local FBI and CIA and Garrison accepted this admis-

2. *Ibid.*

3. Telephone interview with ex-CIA agent who requests anonymity, August 1989; in-person interview in December 1989.

4. See Philip Melanson, *The Murkin Conspiracy* (New York: Praeger, 1989).

5. *Op. cit.*, n. 3.

6. A July 1989 phone interview with a Baton Rouge police detective confirmed Kimble's close ties to organized crime. State investigator Joe Oster also investigated Kimble because of allegations of Kimble's involvement in the murder of union leader Victor Busie. In this investigation, Oster found that Kimble had ties to the Ku Klux Klan and organized crime.

sion as true.<sup>7</sup>

Like his contemporary, Lee Harvey Oswald, Jules Kimble had been living in Crescent City, California during the early 1960s and was associating with gangsters, segregationists, the FBI and, he forcefully asserts, the CIA. He is known to have been in contact with David Ferrie, the dead CIA flier who has been repeatedly implicated in the assassination of John Kennedy.<sup>8</sup>

Most astonishingly, Jules Ron Kimble is not dismissed out-of-hand by James Earl Ray. When Ray was recently confronted with the alleged connection, he said that Kimble may have been one of two mysterious figures he saw on the afternoon of the assassination but he wasn't sure. Ray then asked if Kimble was in prison (which he was) but rejected Kimble's allegations about their connection as some sort of "government disinformation."<sup>9</sup>

Although James Earl Ray, now 60, stands convicted of shooting Martin Luther King, most observers agree the truth of what really happened has never been established. New evidence from Kimble, compounded with other recent revelations, establish that the issue is not whether government operatives were involved in the King assassination but rather how high up the chain of command the conspiracy ran.

#### The Lone Gunman

In late March 1968, the Rev Martin Luther King Jr. came to Memphis to support the city's striking sanitation workers who were predominantly black. He led a march of 6000 protesters which disintegrated into violence between police and demonstrators, giving conservative forces the opportunity to scorn King's doctrine of nonviolent political struggle. Determined to prove the sanitation workers' protest could be peaceful, King returned to Memphis on April 3rd to lead a second march.

On April 4, a few minutes before 6 p.m., Dr. King walked out on the balcony outside his second-floor room at the Lorraine Motel. He was scheduled to attend a dinner at the local Reverend Billy Kyles's house and was bantering with his chauffeur down in the parking lot below. At 6:01 p.m. there was a shot. A high-velocity dum-dum bullet hit Dr. King in the neck, severing his spinal column and leaving a massive exit hole. One hour later, in St Joseph's Hospital in Memphis, King died.

Public suspicions over the investigation of Dr. King's death surfaced almost immediately. In 1968 there was already a growing body of opinion at odds with the official explanation that Lee Harvey Oswald had been the lone assassin of John F.

**In the early 1960s, Kimble was associating with gangsters, segregationists, the FBI and, he forcefully asserts, the CIA.**

Kennedy. In Memphis, King too had been shot with a high-velocity rifle, ostensibly from a window. Moreover, like Dallas, the assassination had taken place under the noses of the authorities in broad daylight.

Soon after his murder, questions surrounding the assassination of King began to emerge. How had so many police arrived so quickly on the scene—within

moments of the shot being fired—yet failed to spot the assassin either arriving or departing? Who, in an apparent attempt to distract police radio control, had broadcast a hoax car chase involving a Mustang on citizens band radio less than half an hour after the police radio announced the suspect car to be a white Mustang? If, as the police claimed, the shot had come from the bathroom window, why did at least three people claim to have seen a gunman in the bushes across the street?

The official scenario of how Ray shot King is as follows: Ray was supposed to have checked into a rooming house on Main Street, the back of which faces the Lorraine Motel; established a sniper's post in the bathroom; shot Martin Luther King; panicked and dropped his belongings on the sidewalk as he fled the rooming house, leaving the rifle to be discovered with his fingerprints on it; and then raced out of Memphis in a white Mustang.

Suspicions of a conspiracy in the murder of King did not diminish with the capture of Ray, though officials continued to maintain he was a lone assassin. On the contrary, expectations of major revelations at Ray's forthcoming trial were very high. But these expectations were never gratified. The public was kept ignorant of the many anomalies and peculiarities in the case, some of which were even ignored by investigators.

The most prominent of these inconsistencies in the state's case was the self-contradictory and inconsistent testimony of its chief witness, Charlie Stephens. Stephens, who the state claims saw Ray emerging from the bathroom, did not recognize Ray in a photo he was shown shortly after the assassination. The state also failed to mention that Stephens was an alcoholic and was drunk the afternoon of the King murder.

#### Why Did Ray Plead Guilty?

It has never been established where the idea of Ray's guilty plea originated but certain facts stand out. Ray's lawyers in the original trial were Hugh Stanton Sr., the Shelby County Public Defender and Percy Foreman. It is interesting to note that earlier Stanton had acted as lawyer to Charlie Stephens—the prosecution's chief witness. No one in the judicial system, however, saw his acting as Ray's attorney as a conflict of interest.

In December 1967, Foreman proposed to prosecutor Phil Canale that Ray could be convinced to plead guilty in exchange for a slightly reduced sentence and no death penalty. Canale was favorable to the idea and consulted with the King family lawyer, Harry Wachtel (former Governor of Ten-

7. Statement taken from Jules Kimble by New Orleans District Attorney Jim Garrison on October 10, 1967.

8. *Ibid.*

9. Interview with James Earl Ray, June 1989, Brushy Mountain State Penitentiary, Tennessee.

Tennessee), officials at the Justice Department, and finally the Attorney General. Everyone agreed that the guilty plea was a splendid idea. It was Foreman's job to convince Ray.<sup>10</sup>

Ray would have none of it. And it took more than two months for him to cave in, despite all manner of tactics employed to pressure him and his family into agreeing. Foreman even assured Ray in a letter that there was a 100% chance he would be found guilty and a 99% chance of the electric chair (even though the state's case was very weak and no one had gone to the chair in Tennessee in more than a decade). Ray also discovered he could not change his lawyer again and that Foreman was doing nothing to develop a defense. Finally Ray somehow believed that if he pleaded guilty he could dismiss Foreman, demand a new lawyer, and receive a new trial.<sup>11</sup>

The so-called trial took place suddenly on March 10, 1968 and following a lengthy list of charges the state would have tried to prove, Ray pleaded guilty as arranged and was sentenced to 99 years. He immediately petitioned for a new trial, which was denied, and has been petitioning on every conceivable ground ever since, also to no avail.

In 1974, however, Ray succeeded in prying from the state an evidentiary hearing. The hearing was to determine whether Ray had enough grounds for a new trial based on his being negligently represented by attorney Percy Foreman. Harold Weisberg, a veteran of the John Kennedy case and a writer, was taken on as an investigator on Ray's legal team.

#### Major Inconsistencies in the State's Evidence

Weisberg's investigation was a searching and vigorous one. Although he differs with many experts in his conclusions—he believes Ray to be totally innocent, a fall guy or "patsy"—many of his arguments about the weakness of the official case and the existence of a conspiracy remain persuasive to this day. Through his relentless pursuit of FBI documentation under the Freedom of Information Act, Weisberg found many documents which revealed numerous irregularities in the Bureau's investigation. Among other inconsistencies, the state's examination of the alleged murder weapon is very revealing.

An internal FBI report on the bullet which killed King said that it was too mangled to compare against the rifle that allegedly fired it. The report states that "...its deformation and absence of clear cut marks precluded a positive determination." Yet the evidence presented at Ray's "trial" gave the impression that the "death slug" was proven to have been fired from the rifle.<sup>12</sup>

Weisberg consulted with a ballistics expert who examined the bullet and concluded that there were indeed sufficient markings on it to make test-fire comparisons. The ballistics expert is adamant about the fact that the FBI could and should have carried out such tests.<sup>13</sup>

10. Interview with Phil Canale, Memphis, Tennessee, June 1989; interview with Dr. William Pepper, Memphis, Tennessee, June 1989.

11. *Ibid.*

12. Internal FBI ballistics report, released under the Freedom of Information Act, dated April 17, 1968.

13. Herbert McDonnell, the ballistics expert who made this claim, is regarded as a leading authority. He presented these views in an interview conducted June 1989, Memphis, Tennessee.

One of Weisberg's most powerful arguments concerns the crime scene itself. How, he wonders, did the assassin, who would have had to stand in a bathtub to fire at King, manage to take a single shot, run from the bathroom into the bedroom, bundle up the rifle and a bizarre collection of personal belongings in a blanket (ensuring that the belongings but not the bathroom or the bedroom had his fingerprints on them), run the length of the rooming house, down a flight of stairs, dump the bundle in the street, walk calmly to his waiting Mustang and drive away within the one to two minutes it took uniformed officers to reach the same location?

Official records as to precisely what took place on the street outside the rooming house—Main Street, one block west of the motel—in those critical minutes, are astonishingly chaotic.

At Ray's trial in 1969, testimony was given by Inspector N.E. Zachary of the Memphis Police Department that he found the rifle and the bundle first. By the time of the 1974 evidentiary hearings (after various books had researched the question), the state conceded that another officer, Sheriff's Deputy Bud Ghormley was first to discover the bundle.

Yet Ghormley, in turn, has been contradicted by Sheriff's



Credit: Ray Lustig

**Martin Luther King Jr.—new evidence strongly suggests he was killed by members of the U.S. government.**

Deputy Vernon Dollahite. Dollahite, now chief of detectives, insisted that he was the first onto Main Street and first to see the bundle. Dollahite has been consistent in his story from the beginning. After one of his early FBI interviews, they calculated that the time he took from the shot being fired to his arrival on Main Street was 1 minute 57 seconds.

The extraordinary factor in Dollahite's testimony is that though alert for anything unusual as he raced around the corner onto Main Street, he not only missed the Mustang pulling away, he did not even see the bundle with the rifle in it. Only after he had entered Jim's Grill beneath the rooming house, told everyone to stay put, and come out again, did he spot it lying in a doorway a few yards away. He and the FBI agreed that whomever was about to dump the bundle had probably seen him coming, hidden behind the staircase door until he had gone into the grill, then run out onto the street throwing down the bundle while Deputy Dollahite was inside.

There is an obvious problem with this scenario. How could Ray run out of the doorway, throw down the incriminating bundle, and then manage to climb into a white Mustang and drive off unnoticed within the seconds it took Dollahite to emerge from Jim's Grill just feet away?

The judge at the evidentiary hearing took more than a year to conclude that Ray had no grounds for a retrial. The defendant's guilt or innocence was immaterial to the issue at hand, he said.

#### Spying on King

By 1977, with the revelations by the Church Committee of major abuses by U.S. intelligence agencies, public opinion about the political assassinations of the 1960s had reached such heights that Congress was forced into forming the House Select Committee on Assassinations to investigate the murders of John F. Kennedy and Martin Luther King Jr.

Beset with political problems and threats to its funding, the HSCA nonetheless did manage to address, if inconclusively and frequently inadequately, the majority of the issues and points raised by critics of the official story in the King case. Its final report dated March 29, 1979 concluded that James Earl Ray was indeed guilty of killing Martin Luther King Jr. but that there had been co-conspirators after all. An informant's report in the FBI's St. Louis office, previously overlooked, led to the discovery that a \$50,000 bounty for the death of Martin Luther King Jr. had been offered in that city in 1967.<sup>14</sup>

However, blaming the King assassination on a conspiracy of St. Louis organized crime figures, with Ray acting as the killer, leaves many disturbing questions unanswered. One of these questions is, how could Ray simply walk into a predominantly black section of Memphis teeming with police, informants, and undercover agents, shoot King and then leave unmolested? The extent of the police surveillance on King was remarkable and the notion that Ray shot King and escaped undetected is even more remarkable. Recently, the true nature and extraordinary extent of the official presence in Memphis in April 1968 became clear.

Retired Memphis police officer Sam Evans confirmed that King's chauffeur and the manager of the Lorraine Motel were paid police informants. It is also known that Marrell McCoulough, one of the first to reach King's fallen body, although ostensibly a member of the radical black group, the Invaders, was in fact an undercover agent of the Memphis Police Department.<sup>15</sup>

The so-called Intelligence Unit of the Memphis Police

**Retired Memphis police officer Sam Evans confirmed that King's chauffeur and the manager of the Lorraine Motel were paid police informants.**

Department (MPD) had been planting bugs and agents at all the strategy meetings of the sanitation workers and the Invaders. Nevertheless, they continue to deny having had any source, human or electronic, at the heart of the Southern Christian Leadership Conference (SCLC) (the group King headed) that day. A

senior police officer claimed that military intelligence and the U.S. Secret Service had also deployed agents throughout Memphis.<sup>16</sup>

It is now known that a member of the SCLC and leaders of the local NAACP were in the pay of the FBI. And another figure close to the SCLC—Jay Richard Kennedy—had been reporting his fears of communist control over King to the CIA.<sup>17</sup>

Despite the presence of numerous people engaged in the surveillance of King, apparently not one of them spotted the assassin arriving, shooting Dr. King, or escaping the scene.

Given that the Memphis Police Department had in the past provided extensive security for Dr. King on previous visits and was aware of the vulnerability of the Lorraine Motel, it seems incredible that a contingent of police bodyguards assigned to King on his arrival should have been removed the day of the shooting, apparently without the knowledge of the police chief, Frank Holloman.

Just two hours before the assassination the MPD's patrolling "TAC Units," each comprising three cars, were pulled back five blocks from the vicinity of the Lorraine Motel. Police chief Holloman claimed that he did not know of that decision until afterwards. Inspector Sam Evans, who was in charge of the units, denied that they were pulled back, even though it is now an acknowledged matter of public record.<sup>18</sup>

Furthermore, immediately after the shooting, no "All Points Bulletin" was issued which might have ensured that the major escape routes out of Memphis were sealed. No satisfactory explanation has ever been provided for that failure.

In another bizarre incident, on the day of the assassination, an erroneous message was delivered by a Secret Service agent to the Memphis Police headquarters stating that there had been a death threat against a black police detective. The detective, Ed Redditt, was stationed at a surveillance post next to the Lorraine Motel. Shortly after the first message, a corrected message arrived saying that the threat was a hoax but the police intelligence officer who received it nevertheless, went to where Detective Redditt was stationed and ordered him to go home. This was two hours before the assassination. Why did the intelligence officer send Redditt home even

14. Final Report of the U.S. House of Representatives Select Committee on Assassinations (hereafter referred to as the *HSCA Report*) (New York: Bantam, 1979).

15. This was not revealed by investigators in 1968 but was acknowledged by the HSCA after writers like Mark Lane and Dick Gregory had drawn attention to it. See Mark Lane and Dick Gregory, *Codename Zorro: The Murder of Martin Luther King, Jr.* (New York: Pocketbooks, 1977).

16. Interview with investigative journalist Wayne Chastin in June 1989.

17. This information was revealed in documents released under the Freedom of Information Act and published by David Garrow in *The FBI and Martin Luther King, Jr.* (New York: Penguin, 1983). It was also discussed by Kennedy for the first time on camera in an interview conducted in June 1989.

18. This point of fact was established in the HSCA investigation. However, when interviewed in June 1989, Sam Evans continued to deny it.

though he knew the threat to be false? When we approached the officer, who has now left the police force, he refused to be interviewed.<sup>19</sup>

Some of these circumstances are explained by the police as a series of coincidences, errors, and oversights. Some are not explained at all. While the HSCA's final report fell short of accusing the police of complicity in the assassination, it lambasted the Memphis Police Department for incompetence and latent racism.

Perhaps the HSCA's final conclusion would have been different if it had obtained undoctored intelligence reports from the Memphis Police Department. While doing research for his book "The Murkin Conspiracy," Philip Melanson, obtained an MPD intelligence report regarding the King assassination. When he compared it to the same report published by the HSCA, he found that all the footnotes and most of the references to undercover police agents in Memphis had been deleted from the HSCA version. Numerous paragraphs were missing and certain sentences were rewritten to play up the violent nature of Memphis civil rights activists and strikers.<sup>20</sup> Why didn't the HSCA get the originals? When confronted with this discrepancy, Representative Louis Stokes (Dem.-Ohio), the former Chair of the HSCA, admitted that he did not know that the Memphis Police Department had provided the Committee with altered documents.<sup>21</sup>

### The Role of the FBI

It is also enlightening to look at FBI actions both prior to and after the King assassination. Former Atlanta FBI agent Arthur Murtagh has given some indication of the prevailing mood at the Bureau in King's home city.

Murtagh related in an interview that "Me and a colleague were checking out for the day when the news came over the radio that Dr. King had been shot. My colleague leapt up, clapped his hands and said 'Goddamn, we got him! We finally got him.' " When asked if he was sure of this statement, Murtagh was adamant that his colleague said "we," not "they."<sup>22</sup>

For years, through its COINTELPRO operations, the FBI had been spying on, bugging, falsifying letters, and sowing discontent among the leadership of the SCLC in an attempt to discredit and "neutralize" Dr. King.<sup>23</sup>

Suddenly, after the King assassination, the FBI began what was called the greatest, most expensive inquiry in Bureau history—the hunt for King's killer. All the technical and human resources of Hoover's FBI focused on the bundle of evidence conveniently left behind at the crime scene—a bundle which pointed only to one man—Eric Galt, a.k.a. John Willard, a.k.a. Paul Bridgman, a.k.a. George Sneyd, whose real name is James Earl Ray. At the same time, white racist groups braced themselves for an FBI assault, but to their astonishment no

one asked them any questions. "It was strange," recalled white supremacist J.B. Stoner, "[It was] almost as if they knew they didn't have to look this way."<sup>24</sup>

The HSCA, like the Justice Department which had already conducted an investigation into the FBI's handling of the King assassination, found no evidence of a coverup. In the end, the Committee did conclude that the Bureau had contributed to a moral climate conducive to the murder of Dr. King, but it stopped short of accusing the Bureau of actual involvement in the killing.<sup>25</sup>

Evidence nonetheless exists suggesting that elements within the FBI may have played a significant role in the political assassination. Consider, for instance, Myron Billett's story.



Credit: S. McCarthy

**Myron Billett said he heard U.S. intelligence agents propose the King assassination to Mafia leaders.**

In early 1968, Myron Billett was the trusted chauffeur of Mafia chief Sam Giancana. Giancana asked Billett to drive him, and fellow mobster Carlos Gambino, to a meeting at a motel in upstate New York. Other major Mafia figures from New York were there as well as three men who were introduced as representatives from the CIA and FBI. There were a number of subjects on the agenda, including Castro's Cuba.<sup>26</sup>

According to Billett, one of the government agents offered the mobsters a million dollars for the assassination of Martin Luther King Jr. Billett stated that Sam Giancana replied, "Hell no, not after you screwed up the Kennedy deal like that." As far as Billett knows, no one took up the offer.

Billett relayed this information in an interview conducted just weeks before he died of emphysema. Given his condition, there appears to be no particular reason for him to lie. While his allegations are mentioned in the HSCA's final report, it makes no judgment as to their validity—the HSCA report simply states that it was unable to corroborate his story.

19. See G. Frank, *An American Death* (New York: Doubleday, 1972).

20. *Op. cit.*, n. 4, p. 80.

21. Interview with Representative Louis Stokes, Washington, D.C., June 1989.

22. Interview with Arthur Murtagh, June 1989.

23. See Garrow, *op. cit.*, n. 17; also see HSCA report.

24. Interview with J.B. Stoner, Atlanta Georgia, April 1989.

25. *Op. cit.*, n. 14.

26. Interview with Myron Billett, Columbus Ohio, June 1989.

There is another instance in which FBI agents were heard discussing bounties and the recruitment of professionals to kill King. In September 1965, Clifton Baird, a Louisville, Kentucky policeman was informed by fellow officer Arlie Blair of a \$500,000 offer to kill Dr. King. Louisville was the home of King's brother, the Reverend A.D. King. Baird said he overheard other police officers and several FBI officers discussing the contract. The next day, Baird tape-recorded Blair referring to the contract again. Later, the HSCA heard the tape and verified its authenticity.<sup>27</sup>

FBI agent William Duncan, liaison with the Louisville Police, admitted that the discussion had taken place and named two other agents who would confirm it. But he also claimed the offer was initiated as a joke by police Sergeant William Baker. Both of the other FBI agents denied any knowledge of the conversation and Baker had died. The HSCA ran out of leads.<sup>28</sup>

There are also witnesses afraid to discuss what really happened on the day of the assassination due to continuing harassment and intimidation. For example, ever since a black Tennessee grocery store owner named John McFerren first told his story, he has been threatened, burgled, beaten up, and shot at. Now he is very reluctant to tell it again.

On the afternoon of the assassination, McFerren was at a Memphis produce store when he overheard the store's manager say on the phone "Get him on the balcony, you can pick up the money from my brother in New Orleans and don't call me here again." The man on the phone was Frank Liberto. His brother, Sal, who lived in New Orleans, was associated with Mafia kingpin Carlos Marcello. As incredible as it seems, the FBI did not pursue McFerren's allegation after they initially questioned Liberto and he denied it.<sup>29</sup>

These connections, and other evidence that members of the Mob were involved in the assassination, were discovered by investigative reporter Bill Sartor. While doing research for a book, Sartor had gone undercover and infiltrated the peripheries of both the Memphis and the New Orleans Mafia. Sartor died mysteriously in Texas as he was completing his first draft and two autopsies failed to reveal the cause of death.

There are other Memphis locals, particularly in the vicinity of the Lorraine Motel and Jim's Grill, who are still afraid to talk or who have suddenly changed their original stories. At least one of them is still visited from time to time by a man reminding him to stay silent. There is also the allegation that someone posing as an advance security person appeared at

27. *Op. cit.*, n. 14.

28. *Ibid.*

29. Interview with John McFerren, Memphis, Tennessee, June 1989. It should be noted that because McFerren is terrified of retribution, he refuses to be interviewed on camera.

the Lorraine Motel two days before the assassination and ordered Dr. King's room changed from the ground floor to the first. Finally there was the known presence in Memphis on the day of the assassination as well as a week after, of a notorious anti-Castro mercenary and CIA contract employee. Years later, when questioned about why he was in Memphis on the day of the assassination, he admitted "it was my business to be there."

### The CIA and False Identities

It is not disputed that the CIA took a very active interest in Martin Luther King Jr. Documents released under the Freedom of Information Act reveal an extensive and ongoing CIA scrutiny of the thoughts, actions, and associates of the civil rights leader throughout the 1960s. One of those reporting back to the CIA was Jay R. Kennedy, a writer and broadcaster prominent in the civil rights movement. Kennedy fervently believed that King's opposition to the war in Vietnam was orchestrated by Peking-line communist agents.

There are other compelling questions about the complicity of the CIA in the King assassination. For example, although James Earl Ray never visited Toronto before April 1968, he

used four identities belonging to individuals living within a few miles of each other in that city. Each of the four bears a rough physical resemblance to Ray. Of these the most elaborate alias was that of Eric Galt, a name Ray used extensively through the period before the assassination. Only on April 4th, the day of the assassination, did he abandon Galt's name and begin to use the other three.<sup>30</sup>

The Galt alias was not merely the result of a fraudulently obtained birth certificate – it was the wholesale usurping of the real Eric Galt's history and physical identity. Evidence shows that James Earl Ray had travelled in the same U.S. cities as the Canadian Eric Galt, had access to Galt's signature, and even inquired into emigrating to southern Africa – a place where Eric Galt had relatives.<sup>31</sup> Moreover Ray has scars on his forehead and his hand, as does the real Eric Galt. Two months before the assassination Ray had plastic surgery on his nose. Galt revealed that he, too, had had plastic surgery on his nose.

Eric Galt is, moreover, an expert marksman.

The question arises: How could Ray or his co-conspirators acquire such a detailed profile of this alter ego? According to Eric Galt, there is only one place where all the pertinent information is collected together – his highly classified security clearance file in the Union Carbide factory in Toronto where, in the mid-1960s, he was working on a top secret U.S. defense

30. Interview with Ray, *op. cit.*, n. 9.

31. See William Bradford Huie, *He Slew the Dragon* (New York: Delacorte Press, 1970).

project.<sup>32</sup>

Fletcher Prouty, a former Pentagon colonel and author of "The Secret Team," was responsible for providing military support for CIA covert operations in the early 1960s. Prouty finds these revelations highly significant.<sup>33</sup>

The Royal Canadian Mounted Police (RCMP) [which at that time included the Canadian equivalent of the CIA] would have compiled this file and besides them and Union Carbide, the only people with access to it would have been U.S. intelligence.

The question of how Ray came to acquire these identities provided the original link to Jules Ron Kimble, the man who has confessed to us that he aided Ray in the assassination.

#### Who is Raoul?

Ray claims that the mysterious "Raoul" hired him to carry out assignments in Montreal in late July 1967. This sparked an interest in *Toronto Star* reporter Andre Salwyn, who sought corroboration to this claim after Ray's arrest. Salwyn conducted an exhaustive search of the neighborhood in which Ray had allegedly been seen drinking with an American stranger. He found that there had indeed been a man with similar characteristics to Ray's description of Raoul living there at different times during the previous year. He was known as Jules "Ricco" Kimble and was said by his girlfriend to have had a car with rifles in the trunk and a radio tuned into the police band. Salwyn checked phone records and discovered that Kimble regularly contacted numbers in New Orleans.<sup>34</sup>

But the phone numbers disappeared, and Salwyn was never allowed to pursue the story. The HSCA did manage to come across Kimble ten years later and they investigated. They found an FBI file on him; and a CIA file; and an RCMP file.

Joe Oster, a Louisiana state investigator, conducted extensive surveillance of Kimble in 1967, and claims that there is a week in July 1967 when nobody can account for Kimble's whereabouts.<sup>35</sup> This is the period in which Ray claims to have met "Raoul" in Montreal.

When interviewed in 1967, Kimble claimed to have been a low-level CIA courier and pilot.<sup>36</sup> When we talked to him from prison, Kimble confirmed that he had worked for the CIA as well as organized crime and also made the following allegations.<sup>37</sup>

- He claims that the HSCA did know all about his role in the assassination (more even than he could remember), producing documents, photographs, and files which proved his association with James Earl Ray, an association he then admitted. However, all files relating to the HSCA investigation have been sealed for 50 years.

- Kimble also stated that on the orders of a Louisiana FBI agent, he flew James Earl Ray from Atlanta to Montreal in July 1967 where Ray was provided with an identities package by a CIA specialist in Mont Royal, Montreal. An ex-CIA agent with knowledge of Agency operations in Canada in the 1960s recently confirmed in an off-the-record interview that there was an Agency "asset" specializing in "identities" in Montreal in 1967. His name was Raoul Maora.

- Kimble said that he then accompanied Ray to a CIA training camp in Three Rivers, Canada where Ray was taught to shoot. It was there that the two men were seen together by Kimble's former girlfriend.

- At the same time, an assassination team was assembled to kill King. Kimble claims that he flew two snipers into Memphis using a West Memphis airfield belonging to a CIA front company. He said that the only involvement that Ray had in the assassination was to serve as a decoy.



Credit: S. McCarthy

**Eric Galt discussing how Ray might have gotten information from his classified personnel file.**

- Finally, Jules Kimble stated that elements of the Memphis Police Department did cooperate in the assassination but that the actual operation was coordinated by a high-ranking intelligence official based in Atlanta.

What is the validity of Kimble's assertions? The evidence presented here, and the many questions it raises, suggests one thing: Those responsible for the murder of Martin Luther King Jr. have yet to be caught and convicted of this political assassination. There is strong evidence that shows agents within the U.S. intelligence apparatus could have played a major role in King's murder. If that is the case, then the U.S. government could be guilty of not only covering up details of the assassination, but of the murder itself. The only way to answer these questions is through a complete and thorough investigation. The documents from the HSCA should be unsealed and a new probe begun. It is long past time for that to happen.

32. Interview with Eric Galt, Toronto Canada, June 1989.

33. Interview with Fletcher Prouty, Alexandria, Va, June 1989.

34. Salwyn testified before the House Select Committee on Assassinations; see also, Melanson, *op. cit.*, n. 4, p. 44.

35. *Op. cit.*, n. 6.

36. Statement to Garrison, *op. cit.*, n. 7.

37. *Op. cit.*, n. 1.

# A Violation of International Law:

## The U.S. Invades Panama

by Howard Friel\*

Because it is almost always illegal for a state to use force in the conduct of its international relations, official disinformation on the legality of U.S. aggression has proven to be an indispensable companion to U.S. assault forces from Vietnam to Panama. The unilateral interpretation of international law by U.S. officials has become as much an "institution" of U.S. foreign policy as the use of force itself. Given the predictable capitulation to the Executive Branch by the media and Congress, it is left to the general public to practice what Noam Chomsky calls "intellectual self-defense." One component of the "self-defense" program is having a sense of when force is permitted or prohibited under international law and when the actions of elected U.S. officials are legal or criminal.

### Two Interpretations of International Law

During the Vietnam War, two important interpretations of international law were put forward: one by the U.S. State Department in a memorandum entitled, "The Legality of United States Participation in the Defense of Vietnam;" another by the Consultative Council of the Lawyers Committee on American Policy Towards Vietnam (hereafter referred to as the U.S. Lawyers), which published a comprehensive rebuttal of the State Department Memorandum.<sup>1</sup> A review of the two interpretations reveals a disagreement over the legal resort to force that exists today along nearly identical lines.

*Article 2(4) of the U.N. Charter as a "Prohibition" or a "Limitation" on the Use of Force?* The State Department argued that Article 2(4) of the U.N. Charter "imposed an important limitation on the use of force by United Nations Members." The U.S. Lawyers argued that 2(4) is not a "limitation" on force but "the keystone to modern international law" and, as such, "outlaws" the use of force as a foreign policy option. Likewise, most scholars of international law recognize 2(4) not as a "limitation" but as a "prohibition" on force. To cite one example, former President of the World Court, Eduardo Jimenez de Arechaga, wrote that:

...the paramount commitment of the [U.N.] Charter is Article 2, paragraph 4, which prohibits the threat or use of force in international relations. This is the cardinal rule of international law and the cornerstone of peaceful relations among states.<sup>2</sup>

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1. The Consultative Council of the Lawyers Committee on American Policy Towards Vietnam, Richard Falk, Chair, John H.E. Fried, Rapporteur; *Vietnam and International Law: An Analysis of the Legality of the U.S. Military Involvement* (Flanders: O'Hare Books, 1967). See pp. 25-41 for citations used in this article.

2. Carlos Arguello Gomez, Nicaragua's Case on the Merits as Presented (1985) to the World Court in *Nicaragua v. United States*, The Hague.

Note that Jimenez describes 2(4) as a "prohibition" on force, "the paramount commitment" of the Charter, and "the cardinal rule of international law." In contrast, the State Department's interpretation of 2(4), which established a precedent for a succession of U.S. assaults from Indochina to Panama, demonstrates that the "limitation" interpretation permits the use of force in a number of scenarios, a development that hardly reflects the intent of this cardinal rule with regard to either limiting or prohibiting force.

*Force as an Instrument of the World Community or the Nation-State?* The U.S. Lawyers acknowledged that the U.N. Charter stipulates "for the very purpose of maintaining peace, various measures, and ultimately force may be required." However, the U.S. Lawyers argued that the Charter "confers the competence to use force upon the Security Council, thus making force the instrument of the world community, and not of individual states." Thus, it is the world community represented by the Security Council that "decides what measures shall be taken" with regard to force. The U.S. Lawyers argued that "the essential meaning of this rule of international law [Article 39] is that no country shall decide for itself whether to use force – and, especially, whether to wage war through an intervention in a foreign conflict." The World Court in *Nicaragua v. United States* (1986) ruled similarly (in rejecting U.S. claims that its attacks against Nicaragua were justified through collective defense with El Salvador) by stating that "there is no rule in customary international law permitting another State to exercise the right of collective self-defense on the basis of its own assessment of the situation."

*Article 51 as the Single, Narrow Exception to 2(4) or as Superseding 2(4)?* The State Department argued that Article 51 is a "saving clause" designed "to make clear that no other provision in the Charter [including 2(4)] shall be interpreted to impair the inherent right of self-defense referred to in Article 51." The U.S. Lawyers argued that:

The right of self-defense under the Charter arises only if an "armed attack" has occurred. The language of Article 51 is unequivocal on this point. The term "armed attack" has an established meaning in international law. It was deliberately employed in the Charter to reduce drastically the discretion of states to determine for themselves the scope of permissible self-defense both with regard to claims of individual and collective self-defense.

Thus, the resort to force in self-defense may be employed "only in the event that the victim state experiences an 'armed attack,' that is, if military forces cross an international boundary in visible, massive, and sustained form," where, in the

words of Daniel Webster, "the necessity for action [is] instant, overwhelming, and leaving no choice of means, and no moment for deliberation." Webster's description of the permissible basis for self-defense was relied upon in the Nuremberg Judgment in the case against major German war criminals.

Contrary to what the State Department claimed, "Article 51 purposely restricted the right of self-defense to a situation of armed attack because only these situations require immediate military reaction to avoid disaster. The rationale is

persuasive: other forms of aggression, especially indirect aggression, are so difficult to define and to ascertain, that too many situations might occur in which states, in good faith or bad, would claim the right of self-defense and thereby expand and intensify warfare."

For its part, the State Department cited the and collective defense as "legalistic." The U.S. Lawyers responded: "The correct delimitation of the concept of self-defense is not a 'legalistic' question.... The question of life and death of many innocent victims of war may be contingent upon it – and perhaps, ultimately, the very survival of mankind. It therefore warrants the closest attention."

*Collective Self-Defense as a Right of a State Under Armed Attack or as the "Inherent" Right of an Intervening State?* In 1966 with South Vietnam against North Vietnam, the U.S. justified its invasion of Vietnam by citing its "inherent" right to collective self-defense. The U.S. Lawyers argued that, as the U.S. invasion of Vietnam showed, a claim to an "inherent" right to intervene in foreign conflicts "may lead to the destruction of the assisted party, as well as to the widening of the local conflicts" and that, "It is to prevent such developments that Judge Jessup argues against interference by outside powers in such situations." Philip C. Jessup, former Judge at the World Court, wrote:

It would be disastrous to agree that every State may decide for itself which of the two contestants is in the right and may govern its conduct according to its own decision. The ensuing conflict...would be disruptive to the ordered world community which the Charter and any modern law of nations must seek to preserve.

Although the State Department's memorandum on Vietnam claims that "Article 51 restates and preserves...a long-recog-

nized...inherent right of self-defense," the U.S. Lawyers wrote that the memorandum "fails to cite any rule of general international law, or to establish any precedent to validate the 'inherent' right of outside states to participate in foreign conflicts."

Furthermore, the U.S. Lawyers wrote that "collective self-defense" is not found in writings on international law before the United Nations era, a fact difficult to square with the claim that collective self-defense is an "inherent" right of an intervening state.

The U.S. Lawyers also cited the argument of Hans Kelsen, who wrote in 1950 in *Law of the United Nations*, that: "It is hardly possible to consider the right or duty of a non-attacked state to assist an attacked state as an 'inherent' right, that is to say, a right established by natural law." Likewise, Julius Stone argued in *Legal Controls of International Conflict*, that "Under general international law, a state has no right of 'self-defense' in respect to an armed attack on a third state."

The post-Vietnam failure in the media and Congress to develop the U.S. Lawyers' interpretation of international law has permitted government officials to resort to force repeatedly without serious domestic challenge. A brief review of the military and disinformation campaigns of the Reagan-Bush era further underscores this point.

#### The U.S. Invasion of Grenada

On the day of the Grenada invasion, President Reagan stated that the legal justifications were to protect U.S. lives on the island, to forestall further chaos following the assassination of Maurice Bishop, and to assist in the restoration of law and order and governmental institutions in Grenada. None of these reasons satisfies the legal conditions for resort to force.

Knowing this to be the case, on the day after President Reagan made these claims, the State Department released a two-page memorandum which cited "collective defense" with the nations of the Organization of Eastern Caribbean States (O.E.C.S.) as the legal basis for invading Grenada, itself a member of the O.E.C.S.

The State Department argued that the Organization of Eastern Caribbean States requested joint military action with the United States because "the collapse of the Government on Grenada posed a threat to the stability of the region." The memorandum stated that the 1981 treaty of the seven-member O.E.C.S. provided legal authority for a collective invasion of Grenada, and that both the U.N. and O.A.S. Charters allow for "collective action pursuant to regional security treaties in response to threats to peace and security."

While it is true that regional treaties may govern the legal actions of states, these actions must be consistent with the rules of the U.N. Charter – the most comprehensive basis of world legal order. Thus, because Grenada had not initiated an "armed attack" against any of the states in the Eastern Caribbean, a collective invasion of Grenada could not have been a legal use of force. The absence of armed attack by Grenada is tacitly admitted in the memorandum, since the memorandum does not cite armed attack as the basis for the threat, but "the collapse of the Government on Grenada."

In short, the U.N. Charter provided no legal authority for the U.S. invasion. Nor did the O.E.C.S. treaty. As Stuart Taylor of the *New York Times* wrote shortly after the invasion: "The treaty's collective security provisions provide only for cooperation 'against external aggression,' and only by unanimous vote of the members."<sup>3</sup> Since Grenada is a member of the O.E.C.S. and signatory to the O.E.C.S. treaty, the threat cited by the United States—the collapse of the government of Grenada—did not constitute a threat of aggression external to the O.E.C.S. Also, since Grenada did not vote to have itself invaded, the unanimous vote required for collective action did not take place. Indeed, Grenada's Ambassador to the O.A.S. described the U.S. invasion as "a flagrant and barbaric act."<sup>4</sup>

The State Department's claim that the invasion was legally supported by the O.A.S. Charter is also false. Article 15 of the O.A.S. Charter states: "No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal affairs of any other state, whether by armed force or otherwise." Since the U.S. cited the collapse of the Grenadian government—a situation that pertains to the "internal affairs" of Grenada—as the reason for invasion, the U.S. invasion was not justified by the O.A.S. Charter.

#### The U.S. Bombing of Libya

On April 5, 1986, at a West Berlin nightclub, LaBelle, a bomb exploded that killed two people—a U.S. serviceman and a Turkish woman—and injured over 200. Several days later, on April 14, while stating that the West Berlin bombing had taken place at the direction of Libya's leader, Muammar Qaddafi, the United States, in an act of reprisal, bombed Libya's two main cities, Tripoli and Benghazi, killing hundreds and wounding several hundred more.

In a nationally televised broadcast, President Reagan stated that the U.S. bombing of Libya was a legal action:

When our citizens are abused or attacked anywhere in the world, on the direct orders of a hostile regime, we will respond, so long as I'm in this Oval Office. Self-defense is not only our right, it is our duty. It is the purpose behind the mission undertaken tonight—a mission fully consistent with Article 51 of the United Nations Charter.

Despite the President's claim, it is clear that the U.S. attack against Libya was not a legal act of self-defense, but a violent reprisal for a terrorist act, allegedly instigated by Libya. The basis for reprisal is "to injure others" as a "response to injury suffered." In this case, the U.S. injured Libya (by bombing Tripoli and Benghazi) in response to injury allegedly inflicted by Libya. Thus, an act of reprisal needs to be differentiated from self-defense—the defense of national territory from "armed attack."

Regarding the legality of reprisals, the Consultative Council of the Lawyers Committee on American Policy Towards

3. Stuart Taylor, "Legal Basis for Invasion," *The New York Times*, October 27, 1983, p. A22.

4. Philip Shabecoff, "Most O.A.S. Members Assail Action," *The New York Times*, October 27, 1983, p. A19.

Vietnam wrote that "violent reprisals have been for a long time regarded with skepticism as they have so frequently involved the imposition of the will of powerful states upon weak states. International law increasingly restricted the right of reprisal even before World War I." The U.S. Lawyers wrote further that the Security Council has "consistently upheld" the prohibition on military reprisals. In April 1964, referring to British raids against Yemen as a reprisal to Yemenese attacks on the British Protectorate of Aden, the U.N. Security Council condemned "reprisals as incompatible with the purposes and principles of the United Nations."

In the preceding debate, U.S. Ambassador Adlai Stevenson "emphasized United States disapproval of retaliatory raids, wherever they occur and by whomever they are committed." And the World Court ruled in the *Corfu Channel* case (1949) that "from the nature of things" reprisals involving military measures "would be reserved for the most powerful states, and might easily lead to perverting the administration of international justice itself."

The U.S. bombing was also illegal in that it did not fulfill the requirements of article 39 of the U.N. Charter, which provides legal authority to the Security Council, not the United States, to "decide what measures shall be taken" in the event of a breach of the peace. Due to its unilateral action, the United States may have retaliated against the party not responsible for the bombing, since it was reported later that Syria, not Libya, was responsible for the LaBelle bombing.

#### The U.S. Invasion of Panama

Given the U.S. Lawyers' interpretation of international law, the U.S. invasion of Panama was also illegal. There are no provisions in the law that permit invasion to stop drug smuggling or to remove heads of state. In addition, the Panama Canal Treaties of 1977 provide for the peaceful Settlement of Disputes (Article 14) and prohibit U.S. military intervention in the Principle of Nonintervention (Article 5).

The fact that a U.S. military official was killed by the Panamanian military, after months of intimidation by U.S. military forces, in the streets of Panama City, does not justify a U.S. invasion that killed several hundred, probably thousands, of Panamanians. As Alfred Rubin of the Fletcher School of Law wrote, a U.S. invasion on this count was not justified "...just as the 'rights' of foreigners to walk the streets of New York City do not justify foreign governments sending their own soldiers to keep order against American muggers or overzealous American police."<sup>5</sup>

In 1946, The Judgment of the International Military Tribunal at Nuremberg declared that "The [Nuremberg] Charter makes the planning or waging of a war of aggression or a war in violation of international treaties a crime" and that "those who plan and wage such a war...are committing a crime in so doing." Given the illegality of the U.S. invasion of Panama, as the Chief Executive who ordered and approved the invasion, George Bush is at least as much an international criminal as Manuel Noriega.

5. Alfred P. Rubin, "Reason and Law Rejected Our Panama Invasion," Letter to the Editor, *The New York Times*, January 2, 1990, p. A18.

## U.S. Overt Intervention:

# Nicaraguan "Electoral Coup"

by William I. Robinson\*

*Editors' Note: This article, the second part of two, details the U.S. government's intervention into the recent Nicaraguan elections. The first part was published in CAIB Number 33 and is still available to interested readers.*

U.S. policy makers gloated over the February 25, 1990 electoral results in Nicaragua, hailing them as a "victory for democracy." However, U.S. intervention in the Nicaraguan electoral process, both public and "private," covert and "overt," constituted one of the most sophisticated and extensive foreign operations launched to date by the Bush administration.

The Bush administration's involvement in the Nicaraguan elections can only be understood in the context of the U.S. government's ten-year war against Nicaragua. The U.S. effort to destroy the Nicaraguan revolution brought military, economic, political, diplomatic and ideological pressure against the Nicaraguan people. The goal of this "war of attrition" was to undermine the revolution as a viable political alternative and to break the Nicaraguan people's will to resist.<sup>1</sup> The electoral results represent the culmination of this decade-long campaign.

Under Reagan, the key to the war was military aggression led by the *contras*. Nicaragua's national defense effort eventually defeated the *contras* on the battlefield, but this victory came at an expense of immeasurable damage to the social and economic fabric of society. The *contra* war left over 60,000 killed and wounded and some \$15 billion in economic damage. These were staggering losses for a small country of barely 3.5 million people and an annual GNP of \$2 billion.<sup>2</sup>

The grueling economic crisis was the price Nicaragua paid to defeat the *contras*. The need to defend the nation also bore a high political cost for the Sandinistas, who were forced to implement an unpopular military draft. It was these two issues—harsh economic conditions and the draft—which U.S. strategists manipulated into the electoral coup.

The Bush administration, recognizing that continued use of the *contras* was not viable, moved to shift the front line of battle from the military to the internal political field. As the electoral process began, the U.S. goal was clear: to "harvest"

the discontent generated by economic and social hardships brought about by ten years of war by converting war-induced exhaustion into electoral support for an alternative to the Sandinistas. The administration focused on three areas:

- Massive political and material intervention in the electoral process, including direct participation in the formation of the United Nicaraguan Opposition (UNO). The U.S. provided overt and covert support for UNO as well as political training for its leaders. It helped design UNO's campaign strategy and provided overall guidance for the anti-Sandinista forces. Through the National Endowment for Democracy (NED), the U.S. spent no less than \$12.5 million for these activities. The CIA contributed another \$11 million, although evidence suggests that the amounts are much greater.<sup>3</sup>
- Undermining the Sandinistas' economic recovery program. State Department official Bernard Aronson admitted after the elections that Secretary of State James Baker had dedicated "a fair amount of personal intervention" to block Western European aid, considered crucial to the success of the recovery program, during the electoral process. Violeta Chamorro was billed as the savior who could alleviate the suffering of Nicaraguans by mending things with the U.S. and attracting millions of dollars in reconstruction money, just as Seaga was packaged by the CIA in Jamaica in 1980. Bush renewed the trade embargo twice during the electoral campaign, first in May 1989 and then on October 25th at the height of the Nicaraguan election campaign. In November, Chamorro was brought to the White House for a photo session after which Bush declared that if Chamorro was elected, the U.S. would lift the trade embargo.
- Utilizing the *contras* as an instrument for armed propaganda and intimidation in favor of UNO. Congress and the administration signed the "Bipartisan Accord," which—in Baker's words—was intended to "keep the *contras* alive, intact, and in existence" during the electoral process. Between August 1989 and February 25, 1990 the *contras* kidnapped approximately 700 civilians, including 50 FSLN campaign activists. There were also threats of reprisals against those who did not vote for UNO.<sup>4</sup> With this armed propaganda,

\*William I. Robinson was, for several years, the Washington D.C. correspondent for ANN (Nicaraguan News Agency). He is also co-author of *David and Goliath: The U.S. War Against Nicaragua*.

1. For a comprehensive and global analysis of the U.S. war against Nicaragua see, William I. Robinson and Kent Norsworthy, *David and Goliath, The U.S. War Against Nicaragua* (New York: Monthly Review Press, 1987).

2. For more statistics on the Nicaraguan economy and the affects of the war see, "Special Report on the Nicaraguan Economy," in *Central America Information Bulletin*, Nicaraguan News Agency (ANN), February 3, 1988.

3. For a lengthy account of these efforts see, "U.S. Intervention in the Nicaraguan Elections," *CovertAction Information Bulletin*, Winter 1990, p. 33. See also, Holly Sklar, "Washington Wants to Buy Nicaragua's Elections Again," *Z Magazine*, December 1989, pp. 49-64.

4. These statistics are from *Barricada*, March 8, 1990. See also, "The U.S. Plays the Contra Card," David MacMichael, *The Nation*, February 5, 1990.

## The Carmen Group

When UNO presidential candidate Violeta Chamorro visited the U.S. in September 1989, one of the agenda items on her itinerary was finalizing the details of a project involving the Washington-based public relations firm, "The Carmen Group."

The Carmen Group was founded in 1982 under the name "Carmen, Carmen and Hugel," by David Carmen, his son Gerald Carmen, and Max Hugel. Hugel, one of Reagan's top campaign managers, was involved in the scandal over sensitive Carter campaign documents being in the possession of Reagan officials.

After Reagan's victory Hugel was appointed Director of Operations of the CIA but was later forced to resign after the *Washington Post* revealed that he had been engaged in illegal stockmarket dealings. Hugel was also a staunch supporter of the *contras*. Shortly after William Casey's death, Hugel worked with Casey's wife, Sofia, in organizing a fund raising dinner in which 50 percent of the monies went to cancer research, and the other 50 percent, to the "Freedom Fighters Fund" set up by Casey's widow to continue "private" support to counterrevolutionary groups around the world.

The Carmen Group's President, David Carmen, was a senior staff adviser to the Reagan presidential campaigns and one of the founders of Citizens for America. Formed at the White House in 1983, Citizens for America functioned as a quasi-governmental organization which played a key role in mobilizing congressional and public support for military aid to the Nicaraguan *contras*, and in promoting Reagan's foreign policy agenda in general. Its activities included lobbying swing-voters in hometown congressional districts, organizing speaking tours of the U.S. for *contra* leaders, and private fund raising for the *contras*. Citizens for America is no longer very active and much of its political staff has apparently moved to the Carmen Group.

The other Carmen Group principal is Gerald Carmen, who was National Chairman of Citizens for America. One of the Reagan administration's top 100 officials, Carmen served under Reagan as U.S. Permanent Representative to the United Nations in Geneva and Chief Executive Officer of the Federal Asset Disposition Association. He was also Senior Adviser to the Bush transition team in 1988.

Carmen Group official Carol Boyd Hallett is a close friend of the Reagans and former leader of Citizens for America. In 1986, Hallett was named Ambassador to the Bahamas, a post traditionally related to U.S. intelligence activities in the Caribbean Basin and to clandestine financial transactions, including the kind of money laundering through the Bahamas that was revealed during the Iran/*contra* investigations. In November 1989, she was appointed Commissioner of the U.S. Customs Service.

the message was: the FSLN is incapable of ending the war. In conjunction, a central plank in UNO's campaign promises was abolition of the draft.

At the heart of this psychological warfare was a simple dichotomous message: a vote for the Sandinistas meant a continuation of hostility from the U.S. and thus, continued poverty, hardship, war, and isolation; a vote for UNO, would bring a respite and would mean an immediate end to U.S. aggression, a definitive cessation of military hostilities and millions of dollars in U.S. economic aid. Nicaraguans voted on February 25 with this gun placed at their head. As one observer put it, the UNO victory was an "electoral coup."

### UNO's Covert Support Structure in the U.S.

Having defined the electoral *coup* strategy, the Bush administration then committed a tremendous amount of public and "private" U.S. money. These resources were channeled through an international network spanning three continents.

The public role played by NED in the Nicaraguan elections is now well documented. Less is known about NED's links to a vast network of private and quasi-private groups ranging from Freedom House to the Center for Democracy and little has been written about the roles of the State Department, the White House, and the Central Intelligence Agency in the Nicaraguan election.

NED, in conjunction with the State Department, set up a special "task force" for the Nicaraguan elections. This task force included the entire State Department team established in 1988 to handle "humanitarian" assistance to the *contras*.<sup>5</sup> The task force also included other top State Department officials, NED personnel, auditors from the General Accounting Office (GAO) and the private firm of Price, Waterhouse, and UNO representatives. Part of this network was run out of an office in Managua staffed by National Democratic Institute (NDI) and National Republican Institute (NRI) representatives.<sup>6</sup>

For its part the CIA funnelled at least \$5 million in covert funding to UNO for "housekeeping" and "political infrastructure" from April to September 1989.<sup>7</sup> Then in October 1989, the CIA allocated another \$6 million for so-called "regional programming," for covert operations staged outside of Nicaragua's borders for the purpose of influencing Nicaragua's elections. Congress had worked out a deal with the administration that it would support the \$9 million appropriation for NED electoral operations in exchange for a commitment from the White House that no CIA covert operations aimed at influencing the elections would be conducted *within Nicaraguan borders*. Thus the second CIA program, from October 1989 to February 1990, involved operations outside of Nicaraguan territory. These operations included sup-

5. This program was principally managed by the Agency for International Development (AID), although the CIA handled certain aspects, including the provision of intelligence information to the *contras* as part of "humanitarian" assistance.

6. "Who's Who with the Nicaragua Project," an internal NED memo dated December 2, 1989 which provides a complete listing of the "Nicaragua Project" people.

7. See *Newsweek*, September 25 and October 9, 1989.

port for the *contras*, political training for UNO personnel in Costa Rica, transmitting radio messages on *Radio Impacto* from Costa Rica into Nicaragua, financing "electoral observer" trips to Nicaragua for unnamed European journalists, and planting black propaganda in European media for the purpose of "blowbacks" in the U.S. and Nicaragua.<sup>8</sup>

Other sources reported that CIA political funds formerly used to run the closed Miami *contra* office had been redirected to UNO.<sup>9</sup> On November 11, 1989, the Managua daily *El Nuevo Diario* published an exposé about covert commercial enterprises in Costa Rica that had been sending U.S. money to the political opposition since 1981 and were now being used for the UNO electoral campaign.

On October 2, 1989, NED Deputy Director of Programs Barbara Haig (daughter of Alexander Haig) met with Carmen Group officials (see sidebar) to discuss coordination of the Nicaragua project. "We are excited about the opportunities that lie ahead," stated David Carmen in a letter to Haig, "I am positive that together we'll bring about real change for democracy in Nicaragua."<sup>10</sup>

NED's charter prohibited it from giving direct campaign aid to UNO and from carrying out projects within the U.S. Thus, while NED took charge of public and "overt" funding to UNO and its auxiliary organizations in Nicaragua, the Carmen Group was called upon to carry out two clandestine functions: public relations and fund raising for UNO in the United States. The money and supplies raised for UNO by Carmen, in distinction to the NED funds, were sent secretly to Nicaragua and never reported to the Supreme Electoral Council, as Nicaraguan law required.

In a letter to Barbara Haig, a Carmen Group official, Carol Hallett thanked Haig for resolving Carmen Group's "shipping dilemma;" i.e., the problem of how to clandestinely send supplies to UNO so as to avoid Nicaraguan taxes and keep this funding secret. Hallett wrote, "[t]hrough your insight, it seems we have solved our problem. I am currently working with Senator Bob Graham [Dem. Fl.]. His office has assured me they will see that the cargo arrives in Nicaragua."<sup>11</sup> The letter corroborates charges by Nicaraguan authorities that members of Graham's staff shuttled supplies to Managua, as one of many illicit channels set up by UNO's U.S. supporters.

#### The Miami Committee

Although the Carmen Group organized UNO public relations and fund raising, this activity was presented as the work of a group of "leaders from the Nicaraguan exile community" called the "Committee for Free Elections and Democracy in Nicaragua." An internal working document circulated by the Carmen Group in September 1989 explains that "a sizable co-

8. The \$6 million figure was reported by *Newsweek* in its March 12, 1990 edition; ANN dispatch, dateline Washington, D.C., March 31, 1990 and published in *Barricada*, April 1, 1990, provide further details.

9. See ANN dispatch, dateline Washington, D.C., September 5, 1989 and published in *Barricada*, September 6, 1989.

10. Letter on Carmen Group stationery, dated October 2, 1989.

11. Letter on Carmen Group stationery from Carol Hallett to Barbara Haig, dated October 4, 1989.

## The Venezuela Connection

During the electoral campaign, offshore centers were set up in Venezuela and Costa Rica. Diverse sources, including internal documentation obtained during the campaign, indicate that numerous channels were set up from Washington and Miami via San José and Caracas. The secret flow of funds and political contacts clearly involved the CIA and NED as well as the State Department and "private" organizations. The most interesting of these is the NED-Venezuela-*La Prensa* connection.

In mid-1989, according to internal memos, NED officials met with the Venezuelan president to discuss "using a Venezuelan institute, which would be comprised of representatives from the media, business, labor and the parties, as a pass-through for NED support." An NED official explained, "this organization would probably not actually have to serve as a pass-through other than on paper."

Nicaraguan media sources said this organization is the "Rómulo Gallegos" foundation based in Caracas and run by the Venezuelan private sector. *Barricada* cited unnamed U.S. intelligence and government sources who said the amount funneled by the CIA through Venezuela during the Nicaraguan electoral process was between \$100,000-\$200,000 per month, and that this money was part of the political funds formerly given to the Washington and Miami offices of the "Nicaraguan Resistance." According to *Newsweek* (October 9, 1989), UNO "receiv[ed] additional financial support via Venezuelan President Carlos Andres Pérez — hundreds of thousands of dollars...."

On February 2, 1989, Cristiana Chamorro, *La Prensa* managing editor and daughter of Violeta, sent a fax to NED President Carl Gershman which read, in part:

"My mother and I returned Monday from Caracas [where] we met with the people who Carlos Andres appointed to manage the Foundation.... The man who contacted us [was] Dr. Eladio Larez [President of Radio Caracas and Television RCTV]....The Foundation is going to be run by personalities from the private Venezuelan sector tied to the communications media...."

Regarding the mechanism for the functioning of the Foundation in conjunction with the National Endowment and the purchases which will be made for *La Prensa*....Dr. Larez said that they agree to the arrangement as they have already been established.... Lope Ona will continue to make purchases and...[send] the materials via Miami-Costa Rica or via Venezuela, and that in the event the Venezuelan route runs into complications, they would seek out a Venezuelan company based in Miami, which would then appear as the one handling things...."

A copy of this fax was provided in Managua by sources close to *La Prensa*.

ordinating office, the Committee for Free Elections and Democracy in Nicaragua, will have to be developed and funded in Miami and funded for 5 months [sic].... This office will have a full time staff of 4, plus a director and outside professional services. Expected costs [will be] \$275,000."<sup>12</sup>

This "Miami Committee" was actually first conceived by the State Department in August 1988 with the objective of serving as one of several liaisons between Washington and the internal opposition in Managua.<sup>13</sup> Its structures were set up in Miami in the first half of 1989. The Committee would be presented publicly as the legal representative for UNO in the United States (the Committee registered as such with the Department of Justice), with the purpose of carrying out public relations and fund raising.

This strategy allowed the U.S. role, including that of NED and the Carmen Group, to remain undisclosed, and these activities could be presented as a "Nicaraguan initiative" rather than part of the U.S. program. Such was the farce that during her September 1989 visit to Miami, Chamorro announced the official formation of the Committee as an initiative she had undertaken.<sup>14</sup>

The Board of Directors of the Committee included its Chairman José Antonio Alvarado, a one-time Somoza diplomat at the United Nations and investment banker who had allegedly been involved in *contra* money laundering; Nadia Pallais, the wife of Luis Pallais Debayle, Somoza's cousin and closest adviser; Carlos Garcia, former Nicaraguan National Guard officer and Somocista businessman; and Nicolas Lopez, the former director of Somoza's newspaper, *La Estrella*.

A working document circulated by the Carmen Group provided strategic guidelines for the UNO electoral campaign, detailing a comprehensive strategy of political activities, psychological operations, and financial expenditures:<sup>15</sup>

In order to counter what will most certainly be intense and well financed activity on the part of the Sandinistas, the opposition's campaign must and will take advantage of every hour between now and February 25th, election day....

The population must first be provided with incentives for wanting to attend the rallies. They are therefore fed

12. This document, titled "Budgetary Needs for the Committee for Free Elections and Democracy in Nicaragua" and dated September 15, 1989, was obtained from sources in Miami connected to UNO. Although the Carmen Group circulated the document, it is not clear who actually authored it.

13. Internal NED document, August 1988. For more extensive reference to this document, including mention of the Miami-based Committee, see "U.S. Intervention in the Nicaraguan Elections," *op. cit.*, n. 3.

14. Chamorro press conference in Miami, September 15, 1989.

15. *Op. cit.*, n. 12.

**The language of the Carmen Group document was very similar to that found in CIA Psychological Operations (Psyops) and Civic Action manuals.**

at these events and given souvenirs of the rally which, in addition to giving them something to take home, also provide a feeling of well being in contrast to the stark poverty in which they have been living under the existing regime. This has the added advantage of

keeping the opposition ever present in their minds. Further, these people must be transported to and from the rallies....Population mobilization and motivation requires resources for a full time organized activity by many campaign workers in the 16 geographic departments into which Nicaragua is divided.

The document also details two important phases of the campaign. Phase I was to raise the following themes among the population: "Hunger, Misery, Obligatory Draft, i.e., the *status quo* versus Change, Liberty and Employment.... Phase II will consist of telling the population why they should vote for the particular candidates fielded by the UNO. This will emphasize the following themes: The Candidate's values and personalities, Full employment for the country, Freedom of expression, Prosperity and improvement of quality of life."

A careful study of UNO's electoral campaign from September 1989 to February 25, 1990 reveals that this strategy was fully implemented. The themes outlined by the Carmen Group were precisely those themes upon which the UNO campaign was based. Moreover, the *language* of the Carmen Group document was very similar to that found in both CIA and Psychological Operations (psyops) and Pentagon Civic Action manuals.<sup>16</sup>

The strategy document budgets \$709,500 in "souvenirs" for Phase I, including UNO caps, T-shirts, plastic glasses, flags, and bumper stickers. Phase II called for an additional \$1 million for more "souvenirs" and \$1.7 million in "salaries and equipment."

The travel budget for UNO officials was \$168,000 and was used for trips to Miami and a variety of other U.S. cities. This budget also included \$320,000 for trips to Nicaragua by North American, Latin American, and European "observers." The total UNO budget drawn up in the Carmen document was \$4.3 million.

In January 1990, the Nicaraguan daily, *El Nuevo Diario* published an UNO payroll spread-sheet of one month's salaries. This document included the names of hundreds of local and national UNO activists with monthly salaries ranging from \$500 for UNO's "National Electoral Control Chief," \$250 for regional and zonal campaign heads, \$150 for district campaign chiefs, \$60 for municipal heads, and between \$50-\$60 for UNO workers. Considering that this money was paid every month beginning as early as September or October 1989, UNO paid out hundreds of thousands of dollars in salaries.

16. The CIA's "Psychological Operations in Guerrilla Warfare" shows the importance of "unarmed propaganda" and defines it as the use of themes sensitive to the target population. This manual was used to train the *contras*.

Exactly how much of these funds was actually spent, or what percentage was handled by Carmen and what percentage passed through other channels, is not clear. The important point is that this spending was distinct from the \$12.5 million that Congress appropriated for NED to spend overtly on indirect campaign activities.

Carmen Group President David Carmen admitted that his group raised at least \$600,000 for UNO campaign materials.<sup>17</sup> Additional Carmen Group documents indicate that approximately \$1 million was funneled through the organization. According to Miami Committee Director José Alvarado, former *contra* Ernesto Palazio, who was later named UNO representative in Washington, D.C., raised at least \$50,000 for UNO. In addition, phone solicitations and "fund raising events" in Miami raised tens of thousands more.<sup>18</sup>

#### Secret Shipments

The Miami Committee-Carmen Group operation also involved NED. The National Republican Institute for International Affairs (NRI), one of the four NED "core groups," was apparently appointed as liaison to the Miami Committee. NRI Director Keith Schuette personally oversaw the production in Miami of UNO campaign propaganda, even though the NED charter expressly prohibited such activity.

Schuette contracted the Miami printing company, Creative Marketing Ideas, to print UNO T-shirts, bumper stickers, and other electoral paraphernalia. Creative Marketing Ideas is run by Luis Argüello, a Somocista businessman who left Nicaragua before the Revolution. "Thank you for your quick response on the printing of the T-shirts of our Nicaragua program," states an October 6, 1989 letter from Schuette to Argüello. The letter specifies that the order was for \$17,632 worth of T-shirts, printed with UNO campaign slogans.

Schuette's letter also stated, "Please advise if this price includes tax, as we are a tax-exempt organization." Thus, NED not only secretly violated its charter in these operations, but also the regulations guiding its tax-exempt status.

Senator Bob Graham's office was only one of numerous clandestine channels for UNO shipments to Nicaragua. Other freight was shipped from Miami freight companies to Costa Rica, and from there sent secretly over land into Nicaragua. Receipts and internal letters documenting these transactions indicate that the "Faith Freight Forwarding Corp." of Miami sent a 20-foot crate to Puerto Limon, Costa Rica, on December 19. The crate was shipped under the name of Pedro Joaquin Chamorro Jr., who is Violeta Chamorro's son and a former member of the *contra* directorate.

According to the receipts, the crate contained, among other items, a large box sent by Creative Marketing Ideas and 2.5 tons worth of UNO campaign posters. It also included materials produced by American Photo Inc. in Miami such as plastic glasses, plastic bags, and plastic UNO flags—precisely the campaign materials detailed in the Carmen Group strategy document. A document sent to UNO headquarters

17. Author's phone interview with David Carmen, January 30, 1990.

18. Author's phone interview with José Alvarado, January 30, 1990.

in Managua on December 20, 1989, by Roberto Faith from the Faith Freight Forwarding Corp., and addressed to Chamorro Jr., states:

I'm sending you a copy of 'loading Guide No. 003944' which describes the contents of the load that left on December 19 and should arrive at Puerto Limon on December 24. From there it will be taken to San Jose and sent overland to Managua. I have also sent a FAX copy of this project to Mr. Richard Beck of Atlas Electricas in Costa Rica, who will help in shipment from San Jose to Managua. My office in San Jose, which has a lot of experience, will also cooperate in this endeavor.<sup>19</sup>

#### A "Pleasant Evening with Jeane" Kirkpatrick

One of the Carmen Group's projects involved organizing a U.S. tour for Violeta Chamorro. For this project alone, the Carmen Group received a donation of \$145,000 from Republican millionaire Fred Sacher. In 1985, Sacher made a \$305,000 donation to the National Endowment for the Preservation of Liberty (NEPL), one of Oliver North's front groups, set up by Iran/*contra* accomplice Carl "Spitz" Channell. Sacher's donation to NEPL was deposited in one of the secret Swiss bank accounts used to purchase black market arms for the *contras*.<sup>20</sup> Following Sacher's donation to the Carmen Group, the Chamorro tour was baptized the "Sacher Project" by David Carmen.

**The Carmen Group received a donation of \$145,000 from Republican millionaire Fred Sacher.**

The one-week tour was scheduled for January 1990 and involved daytime meetings with all the major print and television media on the East Coast, followed by nightly \$1000-a-plate fund raising dinners in Boston, New York, Washington, D.C., and Miami.<sup>21</sup> The tour was cancelled at the last minute, after Chamorro broke her knee. Nevertheless, the post-tour budget shows that despite the cancellation, \$95,000 of Sacher's donation was used, including \$15,000 paid to David Carmen's son, Gerald, for acting as "tour manager."

Although Violeta Chamorro could not be present, the Car-

19. The fax also explains that Roberto Faith is the Chairman of the "Calderon Committee in Miami." Rafael Angel Calderon of Costa Rica's United Social Christian Party won the February elections in Costa Rica. During 1988 and 1989, his party's political foundation—the Association for the Defense of Liberty and Democracy in Costa Rica—received nearly \$500,000 from NED. The National Liberation Party of Oscar Arias denounced the funds as constituting a campaign contribution to Calderon in an effort to punish Arias for his role in the Central American peace process.

20. *Secret Military Assistance to Iran and the Contras* (Washington, D.C.: The National Security Archive, 1987), p. 226.

21. Documents from the Carmen Group regarding tour planning, December 1989.

## The Jefferson Foundation

The Jefferson Educational Foundation is another organization which played an integral role in promoting UNO in the U.S. and abroad. The Jefferson Foundation, an ultra-right organization connected to the fascist fringe of U.S. politics, played an important role in the Reagan administration's policy towards Central America. Among the Jefferson Foundation's board members are John Singlaub, Barry Goldwater, John Lehman, and Senators Alfonse D'Amato, Orrin Hatch, Connie Mack, and Strom Thurmond.

During the 1980s the Jefferson Educational Foundation ran a "Central America Awareness Program," which worked with the White House Office of Public Liaison and the White House Working Group on Central America, promoting anti-Sandinista propaganda and the use of "public diplomacy."

In December 1989, the Jefferson Foundation organized a series of public and private meetings in Paris on the Nicaraguan elections. According to its literature, the goal of the meetings was to "gain crucial European commitments" and "build international support for President Bush's emphasis on truly free elections...."

The Paris meetings were run by Robert R. Reilly, a member of the Jefferson Foundation, who worked with the Heritage Foundation in the late 1970s before Ronald Reagan appointed him Director of the Office for Private Sector Programs (OPSF) of the U.S. Information Agency. Despite its innocuous name, the OPSF was responsible for channeling U.S. government money into "private" organizations participating in Reagan's foreign policy, and in particular, in building a trans-Atlantic network of rightwing groups in Europe and the U.S. to coordinate the conservative agenda.

Reilly was later appointed to the White House Office of Public Liaison and given the responsibility of coordinating a propaganda campaign around alleged "Sandinista persecution of the Church in Nicaragua."

Among those invited to participate in the Paris program was UNO militant Lino Hernandez, executive director of the "Nicaraguan Human Rights Commission," an NED-funded entity. The anti-Sandinista Bishop, Pablo Antonio Vega and Pedro Joaquin Chamorro Jr. were also invited. The Jefferson Foundation also brought Jaime Daremburg, a rightwing Costa Rican columnist and professor who is noted for his anti-Sandinista editorials. Daremburg is a major Costa Rican recipient of NED funds, and sits on the boards or advisory councils of several anti-Sandinista propaganda programs funded out of Costa Rica by NED. In another example of the coordination among different U.S. groups, it is interesting to note that the Carmen Group made the travel arrangements for Lino Hernandez and Pablo Antonio Vega. ●

men Group organized a fund raising dinner in New York City on February 7, 1990. Twenty wealthy Republican couples donated \$5,000 per couple to attend. The dinner, held at the home of Seymour and Evie Holtzman, featured Jeane Kirkpatrick as the guest of honor. The invitations sent by David Carmen read, "these elections can be the turning point in restoring that part of Central America to Democracy and...[can] set in motion the cure for Cuba and finally end the threat that we face down there...please join us for an interesting evening with Jeane."

Among the invitees were former Reagan Chief of Staff Donald T. Regan, Sofia Casey, the widow of former CIA Director William Casey, and Holly Coors of the Coors Family, which had earlier donated millions of dollars to the *contras* and Faith Whittlesey, former Co-Director of the White House Office of Public Liaison (OPL).<sup>22</sup>

Nine days after the dinner, Kirkpatrick appeared as the keynote speaker at a conference titled "Elections in Nicaragua: Democracy or Deception" and convened by the ultra-right American Defense Institute. In her speech she described the elections as a "farce orchestrated by the communists."

During the conference, an eight-minute UNO public relations video was shown which painted Chamorro as the "Cory Aquino of Nicaragua" fighting "communism and totalitarianism." The Carmen Group paid J.R. Black \$12,000 to produce the video. Black, who runs a shadowy operation called "International Media Associates," was introduced to NED President Carl Gershman by William Geimer, the President of the Jamestown Foundation which has been linked to U.S. covert activities.<sup>23</sup> In an introductory letter to Gershman, Geimer explains that "Black proposes to produce a videotape [to] speak about the evils of communism, and to disseminate the tapes in Nicaragua prior to the February election...we will of course provide him with access to Jamestown clients."<sup>24</sup>

### Conclusion

The U.S. government's electoral intervention strategy is as equally dangerous and misguided as was its military support of the *contra* war. Unfortunately, it has proven more palatable to Congress because of its emphasis on political and psychological operations. Even more disturbing, the U.S. strategy has gone virtually unreported in the mainstream media. NED has proven to be a very effective tool for intervention—perhaps even more effective than the CIA.

Eventhough the Cold War evaporates and pressures build for a "peace dividend," Washington continues its interventionist policy abroad. Given the rise of *perestroika* in Europe, many Nicaraguans have wondered if it is not time for "Yankeestroika" in the Americas. Is it not time for the United States to democratize its relations with other countries? ●

22. The Office of Public Liaison was established to promote the Reagan administration's policies among the media and the public. After Whittlesey left OPL, she became Ambassador to Switzerland—the very same year that secret Swiss accounts were set up to funnel money to the *contras* and other "Enterprise" ventures.

23. See, David Wise, *The Spy Who Got Away* (New York: Random House, 1988), p. 237; *Foreign Intelligence Literary Scene*, January 1986, p. 3.

24. Letter from William Geimer to Carl Gershman, December 4, 1990.

# On the Side of Pol Pot:

## U.S. Supports Khmer Rouge

by Jack Colhoun\*

For the last eleven years the United States government, in a covert operation born of cynicism and hypocrisy, has collaborated with the genocidal Khmer Rouge in Cambodia. More specifically, Washington has covertly aided and abetted the Pol Potists' guerrilla war to overthrow the Vietnamese-backed government of Prime Minister Hun Sen, which replaced the Khmer Rouge regime.

The U.S. government's secret partnership with the Khmer Rouge grew out of the U.S. defeat in the Vietnam War. After the fall of Saigon in 1975, the U.S.—worried by the shift in the Southeast Asian balance of power—turned once again to geopolitical confrontation. It quickly formalized an anti-Vietnamese, anti-Soviet strategic alliance with China—an alliance whose disastrous effects have been most evident in Cambodia. For the U.S., playing the "China card" has meant sustaining the Khmer Rouge as a geopolitical counterweight capable of destabilizing the Hun Sen government in Cambodia and its Vietnamese allies.

When Vietnam intervened in Cambodia and drove the Pol Potists from power in January 1979, Washington took immediate steps to preserve the Khmer Rouge as a guerrilla movement. International relief agencies were pressured by the U.S. to provide humanitarian assistance to the Khmer Rouge guerrillas who fled into Thailand. For more than a decade, the Khmer Rouge have used the refugee camps they occupy as military bases to wage a *contra* war in Cambodia.

According to Linda Mason and Roger Brown, who studied the relief operations in Thailand for Cambodian refugees:<sup>1</sup>

...relief organizations supplied the Khmer Rouge resistance movement with food and medicines.... In the Fall of 1979 the Khmer Rouge were the most desperate of all the refugees who came to the Thai-Kampuchean border. Throughout 1980, however, their health rapidly improved, and relief organizations began questioning the legitimacy of feeding them. The Khmer Rouge...having regained strength...had begun actively fighting the Vietnamese. The relief organizations considered supporting the Khmer Rouge inconsistent with their humanitarian goals.... Yet Thailand, the country that hosted the relief operation, and the U.S. government, which funded the bulk of the relief operations, insisted that the Khmer Rouge be fed.

During his reign as National Security Adviser, Zbigniew

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1. Linda Mason and Roger Brown, *Rice, Rivalry and Politics: Managing Cambodian Relief* (South Bend, Ind: University of Notre Dame Press, 1983), pp. 135-36.

Brzezinski played an important role in determining how the U.S. would support the Pol Pot guerrillas. Elizabeth Becker, an expert on Cambodia, recently wrote, "Brzezinski himself claims that he concocted the idea of persuading Thailand to cooperate fully with China in efforts to rebuild the Khmer Rouge.... Brzezinski said, 'I encouraged the Chinese to support Pol Pot. I encouraged the Thai to help the DK [Democratic Kampuchea]. The question was how to help the Cambodian people. Pol Pot was an abomination. We could never support him but China could.' "<sup>2</sup>

### An Unholy Alliance

The U.S. not only permitted the Khmer Rouge to use the refugee camps in Thailand as a base for its war against the new government in Phnom Penh but it also helped Prince Norodom Sihanouk and former Prime Minister Son Sann to organize their own guerrilla armies from the refugee population in the camps. These camps are an integral factor in the ability of the Khmer Rouge, the Sihanoukist National Army (ANS) and Son Sann's Khmer People's National Liberation Front (KPNLF) to wage war against the Hun Sen government.

In 1979, Washington began "a small program" of support for Sihanouk's and Son Sann's guerrillas by providing "travel expenses" for the "insurgent leaders" and funds "for the upkeep of resistance camps near the Thai-Cambodian border."<sup>3</sup> In addition, since 1982, the U.S. has provided the ANS and KPNLF with covert and overt "humanitarian" and "nonlethal" military aid. By 1989, the secret nonlethal aid had grown to between \$20 million and \$24 million annually and the overt humanitarian aid had reached \$5 million. The Bush administration requested \$7 million more in humanitarian aid for 1990.<sup>4</sup>

When Congress approved the \$5 million aid package for the ANS and KPNLF in 1985, it prohibited use of the aid "...for the purpose or with the effect of promoting, sustaining or augmenting, directly or indirectly, the capacity of the Khmer Rouge...to conduct military or paramilitary operations in Cambodia or elsewhere...."

From the beginning, U.S. aid for the ANS and KPNLF has been a complimentary source of aid for the Khmer Rouge. According to a western diplomat stationed in Southeast Asia, "...two-thirds of the arms aid to the noncommunist forces appears to come from Peking [Beijing], along with more exten-

2. Elizabeth Becker, *When The War Was Over: The Voices of Cambodia's Revolution and Its People* (New York: Simon and Schuster, 1986), p. 440.

3. Charles Babcock and Bob Woodward, "CIA Covertly Aiding Pro-West Cambodians," *Washington Post*, July 8, 1985.

4. Steven Erlanger, "Aid to Cambodian Non-Communists is Detailed," *New York Times*, November 16, 1989; see also, Jeremy Stone, "Secret U.S. War In Cambodia," *New York Times*, November 16, 1989.

sive aid to the communist fighters [the Khmer Rouge]....China is estimated to spend \$60 million to \$100 million yearly in aid to all factions of the anti-Vietnamese resistance.”<sup>5</sup>

In 1982, under pressure from the U.S., China, and the Association of Southeast Asian Nations (ASEAN), Sihanouk and Son Sann joined forces with the Khmer Rouge to form the Coalition Government of Democratic Kampuchea (CGDK). The ANS and KPNLF, which were more politically respectable than the Khmer Rouge, gained military credibility from the guerrilla alliance. However, the Khmer Rouge gained considerable political legitimacy from the alliance and Khmer Rouge diplomats now represent the CGDK at the United Nations.

The CGDK receives large amounts of military aid from Singapore. When asked about the relationship between money from the U.S. and arms from Singapore, another U.S. diplomat in Southeast Asia replied, “Let’s put it this way. If the U.S. supplies [the guerrilla coalition] with food, then they can spend their food money on something else.”<sup>6</sup>



Credit: Associated Press

**Sihan Siv, who once represented the KPNLF, now works in the White House.**

#### Direct U.S. Aid

But there are indications of direct U.S. links to the Khmer Rouge. Former Deputy Director of the CIA, Ray Cline, visited a Khmer Rouge camp inside Cambodia in November 1980. When asked about the visit, the Thai Foreign Ministry denied that Cline had illegally crossed into Cambodian territory. However, privately, the Thai government admitted that the trip had occurred.<sup>7</sup> Cline’s trip to the Pol Pot camp was originally revealed in a press statement released by Khmer Rouge diplomats at the United Nations.

Cline also went to Thailand as a representative of the Reagan-Bush transition team and briefed the Thai government on the new administration’s policy toward Southeast Asia. Cline told the Thais the Reagan administration planned to “strengthen its cooperation” with Thailand and the other

5. Don Oberdorfer, “Shultz Opposes Military Aid for Guerrillas in Cambodia,” *Washington Post*, July 11, 1985.

6. Dinah Lee, “Singapore Breaks into Arms Trade with Inexpensive Assault Rifles,” *Washington Post*, December 15, 1982.

7. “Thais Furious at Cambodians for Disclosing Visit by Reagan Aide,” *Los Angeles Times*, December 5, 1980.

ASEAN members opposed to the Phnom Penh government.

There have been numerous other reports about direct links between the CIA and the Khmer Rouge. According to Jack Anderson, “[t]hrough China, the CIA is even supporting the jungle forces of the murderous Pol Pot in Cambodia.”<sup>8</sup> Sihanouk himself admitted that CIA advisers were present in Khmer Rouge camps in late 1989: “Just one month ago, I received intelligence informing me that there were U.S. advisers in the Khmer Rouge camps in Thailand, notably in Site B camp.... The CIA men are teaching the Khmer Rouge human rights! The CIA wants to turn tigers into kittens!”<sup>9</sup>

By late 1989 the distinction between “direct or indirect” U.S. support for the Khmer Rouge was less clear. When CGDK forces launched an offensive in September 1989, Sihanouk’s and Son Sann’s armies openly cooperated with the Khmer Rouge. Moreover, by then the Khmer Rouge had infiltrated the military and political wings of the ANS and KPNLF.

Sihanouk confirmed ANS and KPNLF military collaboration with the Khmer Rouge in a radio message broadcast clandestinely in Cambodia. “I would particularly like to commend the fact that our three armies know how to cordially cooperate with one another... We assist each other in every circumstance and cooperate with one another on the battlefield of the Cambodian motherland....”<sup>10</sup> Sihanouk specifically mentioned military cooperation in battles at Battambang, Siem Reap, and Oddar Meanchey.

Evidence of increased involvement of U.S. military advisers in Cambodia has also begun to surface. A report in the London *Sunday Correspondent* noted that “American advisers are reported to have been helping train guerrillas of the non-communist Khmer resistance and may have recently gone into Cambodia with them.... Reports of increased U.S. involvement have also emerged from the northern town of Sisophon, where local officials say four westerners accompanied guerrillas in an attack on the town last month.”<sup>11</sup>

Although the U.S. government denies supplying the ANS and KPNLF with military hardware, a recent report claimed that KPNLF forces had received a shipment of weapons from the U.S. including M-16s, grenade launchers, and recoilless rifles.<sup>12</sup> It has also been reported that the U.S. is providing the KPNLF with high resolution satellite photographs and “[s]everal KPNLF commanders... claim Americans were sent to train some 40 elite guerrillas in the use of sophisticated U.S.-made Dragon anti-tank missiles in a four-month course that ended last month.” When the KPNLF launched a major offensive on September 30, a large number of U.S. officials were sighted in the border region, near the fighting.<sup>13</sup>

8. Jack Anderson, “CIA Gearing Up for Operations with Foreigners,” August 27, 1981; see also, “America’s Secret Warriors: In Business With A New Set Of Missions,” *Newsweek*, October 10, 1983.

9. Sihanouk interview, *Le Figaro* (Paris), December 30, 1989.

10. Clandestine radio broadcast in Cambodia, October 11, 1989. Text is published in the U.S. Foreign Broadcast Information Service, *East Asia Daily Report*, October 11, 1989, p. 31.

11. London *Sunday Correspondent*, October 15, 1989.

12. *Ibid.*

13. “KPNLF Leaders: U.S. Role Grows in Khmer Fighting,” *Bangkok Post*, October 13, 1989.

Washington's link to the anti-Phnom Penh guerrilla factions was formalized in 1989 when KPNLF diplomat Sichan Siv was appointed as a deputy assistant to President George Bush. Siv's official assignment in the White House is the Public Liaison Office, where he works with different constituency groups, such as Khmer residents in the U.S. and other minority, foreign policy, youth, and education groups. Siv escaped from Cambodia in 1976 and immigrated to the U.S., where he joined the KPNLF. From 1983 to 1987, Siv served as a KPNLF representative at the United Nations as part of the CGDK delegation which was headed by Khmer Rouge diplomats.<sup>14</sup>

As part of the Bush administration, Sichan Siv is significantly involved in the formulation and conduct of U.S. policy in Cambodia. He was a "senior adviser" to the U.S. delegation attending an international conference on Cambodia held last summer in Paris, where the U.S. demanded the dismantling of the Hun Sen government and the inclusion of the Khmer Rouge in an interim four-party government. He was also the moderator of a White House briefing on Cambodia in October 1989 for Khmer residents in the U.S.

Another one of Siv's assignments has been to work as a liaison with far Right groups which provide political and material support for the KPNLF. He attended a World Anti-Communist League (WACL) conference in Dallas, Texas in September 1985 along with other anti-communist "freedom fighters" from around the world.<sup>15</sup> At the WACL conference, the KPNLF openly sought "outside training and support in intelligence and demolition."<sup>16</sup>

Siv has also worked with retired U.S. Army Brigadier General Theodore Mataxis, who heads up the North Carolina-based Committee for a Free Cambodia (CFC). Mataxis was approached by senior KPNLF generals in 1986 to set up the CFC to organize support in the U.S. for the KPNLF.

#### Right Wing Support

According to the Reagan doctrine, the goal of U.S. foreign policy was to "contain Soviet expansion" by supporting counterrevolutionary groups in Angola, Nicaragua, Cambodia, etc. and, in essence, "roll back" the "Soviet empire." Many of the rightwing groups which gained prominence after Reagan's election immediately started programs to support *contras*

14. Telephone interview with author, March 21, 1990. See also, Scott Anderson and Jon Lee Anderson, *Inside the League* (New York: Dodd, Mead, & Company, 1986), p. 281.

15. Fred Clarkson, "Behind the Supply Lines," *CovertAction Information Bulletin*, Number 25 (Winter 1986).

16. Telephone interview with author, March 21, 1990. For Siv's role as a KPNLF diplomat, see Paul Pinkham, "UN Rep Works to Free Cambodia," *Pampa News* (Texas), December 29, 1985; Isabel Valde, "Khmer Official Says Cambodia Needs U.S. To Oust Vietnamese," *San Antonio Express-News*, May 14, 1986; and "Rebel Group Diplomat Seeks Cambodian Aid," (*Rochester Times-Union*, January 22, 1986).

across the globe. The World Anti-Communist League, the Heritage Foundation, the Freedom Research Foundation, as well as many others, all pressed hard for support of the "freedom fighters."

In its 1984 policy report entitled, *Mandate for Leadership II: Continuing the Conservative Revolution*, the Heritage Foundation called on the Reagan administration to focus even more closely on these counterrevolutionary struggles and to:<sup>17</sup>

...employ paramilitary assets to weaken those communist and noncommunist regimes that may already be facing the early stages of insurgency within their borders and which threaten U.S. interests....Cambodia, Laos,

Vietnam reflect such conditions, as do Angola, Ethiopia, Afghanistan, Nicaragua, Iran and Libya.

In 1984, rightwing activist/advventurer Jack Wheeler stated that "[t]here are eight anti-Soviet guerrilla wars being conducted in the third world at this moment....Sooner or later, one of

these movements is going to win....The first successful overthrow of a Soviet puppet regime may, in fact, precipitate a 'reverse domino effect,' a toppling of Soviet dominos, one after the other."<sup>18</sup>

Not surprisingly, Wheeler is a big supporter of the Cambodian *contra* movement and has openly solicited material and political support for the KPNLF. In August 1984 he wrote an article for the Moonie-owned *Washington Times* in which he said, "After spending a week with the KPNLF inside Cambodia...one is drawn inescapably to the conclusion that the KPNLF does indeed represent a real third noncommunist alternative for Cambodia....[But] the KPNLF is...running seriously low on weapons and ammunition. The lack of ammunition for rifles, rocket launchers, machine guns and mortars, is especially critical."<sup>19</sup>

Just how "private" the support Wheeler solicits for the KPNLF is open to question. Listed, along with Wheeler, on the Board of Directors of Freedom Research Foundation are Alex Alexiev and Mike Kelly. Alexiev is "with the National Security Division of the Rand Corporation...[and is] an expert on Soviet activities in the third world." Kelly was Deputy Assistant Secretary of the Air Force for Manpower Resources and Military Personnel in the early 1980s. Kelly had earlier been a legislative assistant to the rightwing Senators Bill Armstrong (Rep.-Colo.) and John Tower(Rep.-Tex.).<sup>20</sup>

*Soldier of Fortune* (SOF) magazine also journeyed to Cam-

17. Stuart M. Butler, Michael Sanera, and W. Bruce Weinrod, *Mandate for Leadership II: Continuing the Conservative Revolution* (Washington, D.C.: Heritage Foundation, 1984), p. 268.

18. Jack Wheeler, "Robin Hood Commandos Battle Odds In Cambodia," *Washington Times*, August 10, 1984.

19. *Ibid.*

20. See also Fred Clarkson, "'Privatizing' the War," *CovertAction Information Bulletin*, Number 22 (Fall 1984), pp. 30-31.

bodia in support of the KPNLF. In an article written after their visit to the front, SOF authors David Mills and Dale Andrade appealed for readers to contribute to the KPNLF and to send their donations to a Bangkok address. "Any private citizen who wants to give more than just moral support to help the KPNLF rebels can send money. It doesn't take much. Forty dollars will buy two uniforms, one pair of shoes, two pairs of socks, knapsack, plastic sheet and a scarf for one soldier. That's not a bad deal."<sup>21</sup>

### Ted Mataxis Rides Again

Retired Brigadier-General Ted Mataxis personifies the historic ties of the U.S. to the KPNLF. In 1971-72, Mataxis worked with General Sak Sutsakhan when he was chief of the U.S. Military Equipment Delivery Team (MEDT) in Phnom Penh. Mataxis's official role was to supervise the delivery of U.S. military aid to then-Cambodian Premier Lon Nol. However, Mataxis's assignment also included a covert role—overseeing the escalation of U.S. forces in Cambodia after the April 1970 U.S. invasion. Mataxis was well suited for working on covert operations in Cambodia, having trained at the Army's Strategic Intelligence School in the late 1940s.<sup>22</sup>

Despite a 1970 congressional ban on aid to the Lon Nol army, there continued to be reports of MEDT personnel working as advisers to the Cambodian military. There were also reports of U.S. helicopters providing transport for Cambodian troops as well as supplying them with ammunition during battles. The U.S. also opened a radio station at Pocheutong Airport, near Phnom Penh, to "help coordinate air support for Cambodian troops."<sup>23</sup>

When Mataxis retired from the U.S. Army in 1972, he began working as a "military consultant" to the Defense Ministry of Singapore. "When I was down in Singapore I worked with them [Sak and the other Lon Nol generals] very closely. We used to do repairs on their ships and other things," Mataxis explained. "When Congress cut off money to them in 1973, they came down to see what Singapore could do to help them out. I got a team together from Singapore, and we went up to Phnom Penh. We made arrangements to buy old brass, old weapons and other stuff [to sell for profit] so they'd have money for supplies and other things."<sup>24</sup> Under U.S. law old U.S. weapons and scrap metal military equipment provided to allies is U.S. property, but there was no known official objection to Mataxis's end run around the congressional ban on

**"Any private citizen who wants to give more than just moral support to help the KPNLF rebels can send money."**

U.S. military aid to the Lon Nol generals.

Mataxis recalled when Major General Pak Son Anh (who at the time worked closely with General Sak, the military commander of the KPNLF) visited him in Washington in 1986. "They [Pak and other KPNLF officers] came to see me and asked what I could do.

They came up to my office at the Committee for a Free Afghanistan.... They asked us to set up something like that [for the KPNLF]. So I went over to see Admiral [Thomas] Moorer. I took General Pak along and asked Admiral Moorer if he could act as a Godfather for us. He said, 'Yes, you can use my name.' "<sup>25</sup> Moorer was chairman of the Joint Chiefs of Staff when Mataxis was head of the MEDT, and Mataxis's work in Cambodia was supervised by Moorer and Admiral John McCain, Commander-in-Chief, Pacific Forces, 1968-72.

Mataxis spent much of 1987 setting up the Committee for a Free Cambodia (CFC). He visited General Sak in Thailand to determine the KPNLF's needs and promoted the KPNLF in the U.S. "I set it up for Pak to go to one of those American Security Council meetings [in Washington] in 1986. Then we had another one in 1987, where guerrillas from around the world came.... They'd get together and each guerrilla group would have a chance to get up and give his bit. It gave them a chance to exchange ideas and say what they were doing," Mataxis stated.<sup>26</sup> Rightwing support has been an important factor in keeping the Cambodian *contras* supplied. Even though Ted Mataxis lost in Vietnam, his war is not over.

### Conclusion

Although most people believe that the U.S. ended its intervention in Southeast Asia in 1975, it is evident from the information provided here that the U.S. continues to support repressive and non-democratic forces in the jungles of Cambodia. When asked about U.S. policy in Cambodia during an April 26, 1990 *ABC News* special, Rep. Chester Atkins (Dem.-Mass.) characterized it as "a policy of hatred."

The U.S. is directly responsible for millions of deaths in Southeast Asia over the past 30 years. Now, the U.S. government provides support to a movement condemned by the international community as genocidal.<sup>27</sup> How long must this policy of hatred continue? ●

25. *Ibid.*

26. *Ibid.* For Mataxis and his activities on behalf of the KPNLF, see Claudia Madeley, "Retired General Helps Cambodians," *Moore County Citizen News-Record* (North Carolina), November 6, 1986; "Speaker Tells of Impact of Afghan, Cambodian Wars," *Moore County Citizen News-Record*, June 1987.

27. Jack Colhoun, "U.S., China Push Khmer Rouge on Cambodians," (*New York*) *Guardian*, December 27, 1989. See also Colhoun, "Return to the Killing Fields: A Million Died Under Pol Pot—Could It Happen Again?" (*New York*) *Guardian*, August 16, 1989; Colhoun, "U.S. Touts Pol Pot As Key To Settlement," (*New York*) *Guardian*, October 11, 1989; Colhoun, "Revisiting The Cambodian Nightmare," *Now Magazine* (Toronto, Canada), January 25-31, 1990.

21. David Mills and Dale Andrade, "Hanoi Hits Hard And Holds: A New Wrinkle Along The Thai-Cambodian Border," *Soldier of Fortune*, July 1985, p. 51.

22. Anderson and Anderson, *op. cit.*, n. 14, p. 260.

23. "The War in Indochina: Instant Replay," *Newsweek*, October 18, 1971. See also Craig Whitney, "Military Gains Ground in U.S. Embassy in Cambodia," *New York Times*, September 20, 1971 and William Shawcross, *Sideshow: Kissinger, Nixon and the Destruction of Cambodia* (New York: Simon and Schuster, 1979), pp. 198-99.

24. Telephone interview with author, March 21, 1990.

## Was the CIA Involved?

# The Bombing of Pan Am 103

by Jeff Jones\*

Pan Am 103, the jumbo jet that blew up over Lockerbie, Scotland on December 21, 1988, might have passed into history as simply another example of the tragic loss of life spilling out of the Middle East conflict. But, as with other incidents of this kind, the official investigation leaves questions unanswered. Many relatives of the victims—the plane's 259 passengers, and 11 people on the ground—fear that the full truth will never be known.

By most accounts, investigators believe the crash was caused by a sophisticated bomb—with a time-delay, barometric fuse—placed on the plane by Ahmed Jibril's Popular Front for the Liberation of Palestine-General Command (PFLP-GC), a Syrian-backed group that rejects PLO efforts to negotiate with Israel.

Flight 103 originated at Frankfurt and continued on, with another plane, from London. The bomb detonated at 7:03 p.m. If it had gone off just 10 minutes later, the Pan Am clipper would have already crossed the Scottish coast and the plane—its victims and evidence—would have vanished in the North Atlantic. Jibril has denied responsibility for the attack. But investigators believe that the PFLP-GC received a large payment from Iran—ABC News has reported \$10 million—to carry out the attack to avenge the U.S. downing of an Iranian airbus in which nearly 300 people died on July 3, 1988.

Paul Hudson, an Albany, New York lawyer, is the president of Families of Pan Am 103/Lockerbie, one of three groups made up of relatives of the victims. Paul and Eleanor Hudson's 16-year-old daughter Melina was returning home from a year of school in England when she died in the crash. "Anything that will prevent a coverup,...that will keep others from experiencing what we have, is important," Eleanor Hudson said recently. "The full truth should come out," Paul Hudson agreed. The charge of cover up does not come easily to either Eleanor or Paul. But Paul Hudson, who has followed the investigation closely, is dismayed at its progress. "It appears that the government either has the facts and is covering this up," he said, "or doesn't know all the facts and doesn't want to."

### Many Questions

Most of the initial controversy surrounding Pan Am 103 focused on the U.S. government's long standing policy of not informing the general public when an airline, an air-travel corridor or a specific flight has been threatened by terrorist attack. Pan Am 103 fit in to all of these categories. But there are many other questions percolating just beneath the surface of

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the investigation:

- There were, it is now known, at least four, and, according to one unsubstantiated report, as many as eight, CIA and other U.S. intelligence agency operatives returning from Beirut, Lebanon, aboard the plane. The Lockerbie bomb crippled U.S. intelligence efforts in the Middle East. Were the intelligence operatives on 103 the bomb's target?

- A CIA team headed for Lockerbie within an hour of the crash.<sup>1</sup> At least once during the ground search, CIA investigators wore Pan Am uniforms; and according to one unrefuted allegation, CIA operatives temporarily removed a suitcase from the site that belonged to one of their agents, thereby breaking the Scottish police investigators, "chain of evidence," which could be crucial to any successful prosecutions.

- Also aboard Pan Am 103 was Bernt Carlsson, the Swedish U.N. diplomat, who had just completed negotiating the Namibian independence agreement with South Africa. He was due in New York the next day to sign the agreement.

- In October 1988, the West German Federal Police, the Bundeskriminalamt (BKA), raided a suspected terrorist safe-house. During the raid, they found a bomb—hidden in a Toshiba radio—that was virtually identical to the one believed later to have brought down Pan Am 103. All but one of the 16 people arrested were soon released and several of them are now top suspects in the bombing.

- Pan Am was fined more than \$600,000 by the U.S. Federal Aviation Administration (FAA) for lax security at its baggage-handling facility in Frankfurt. And according to the West German newsweekly *Stern*, a Pan Am security official in Frankfurt was spotted after the crash backdating a copy of a crucial FAA memo. The memo described a call placed to the U.S. Embassy in Helsinki in which the caller reportedly warned that a bomb would be smuggled onto a Pan Am aircraft flying from Frankfurt to the United States.

- The most startling and controversial charge to surface around Pan Am 103 comes from a report issued by a little-known New York City-based intelligence group called Interfor, Inc.<sup>2</sup> The company was hired by the law firm representing

1. Steven Emerson and Brian Duffy, *The Fall of PanAm 103* (New York: Putnam's, 1990), p. 41.

2. According to Daniel Aharoni, Interfor's general counsel, the 10-year-old company is engaged in "private intelligence and security" for corporate clients. From time to time, Aharoni said, Interfor conducts "overseas investigations on particular measures, including counterterrorism." Juval Aviv, the company's founder and president and a former member of Mossad, authored the controversial report.

Pan Am's insurance agents to find out what happened. The Interfor Report was leaked to the press last fall.<sup>3</sup> Its immediate impact was to stall, indefinitely, the approximately 300 civil court cases filed against Pan Am by relatives of the victims. Interfor has charged that a rogue CIA unit in Frankfurt, seeking to make a deal for the release of U.S. hostages in Beirut, was protecting a Middle East heroin smuggling operation being run through Pan Am's Frankfurt baggage operation. The fatal bomb, according to this allegation, was placed on the plane in a suitcase substituted for one that normally would have contained contraband.

- But according to a January 1990 report on Frontline, the PBS news program, the bomb was placed on the plane at London's Heathrow Airport when a baggage handler switched suitcases belonging to CIA officer Matthew Gannon. Frontline believes the planning for the retaliatory bomb attack was already under way when the group learned that several top U.S. intelligence officers would be flying Pan Am 103 out of London's Heathrow Airport. Gannon and two other operatives, having left Beirut by separate routes, may have made a fatal error when they purchased their plane tickets over-the-counter from a travel agent in Nicosia. According to Frontline, the only piece of luggage not accounted for from the flight belonged to Gannon. Frontline's investigators believe that the intelligence officers were "a strong secondary target" and that a suitcase identical to Gannon's was switched at Heathrow.

- And according to syndicated columnist Jack Anderson, President George Bush and British Prime Minister Margaret Thatcher held a transatlantic phone conversation some time last year, in which they agreed that the investigation into the crash should be "limited" in order to avoid harming the two nations' intelligence communities. Thatcher has acknowledged that the conversation took place, but denied she and Bush sought to interfere with the investigation.

### The Interfor Report

The controversial Interfor Report maintains that a Frankfurt-based CIA team was protecting a heroin smuggling operation in hopes of obtaining information about U.S. hostages in Lebanon—the same hostages that sparked the Iran/contra arms-for-hostages scandal.

The report claims that the drug smuggling ring is headed by Syrian Monzer Al-Kassar, and controls at least one Pan Am baggage handler at the Frankfurt airport. The handler was responsible for switching luggage that had already been inspected with identical pieces holding contraband. A pas-

3. According to several sources, ex-CIA agent Victor Marchetti got hold of the report and gave it to Congressman James A. Traficant Jr. (Dem.-Ohio), who released parts of it to the media. Another copy of the report turned up in the hands of a West German paper affiliated with the Lyndon LaRouche network.

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### The bomb was placed on the plane at London's Heathrow Airport when a baggage handler switched suitcases belonging to CIA officer Matthew Gannon.

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senger accomplice would then pick up the bag upon its arrival in the U.S. Interfor admits it does not know how the bags passed through customs on arrival, but insists in its report, that "this route and method worked steadily and smoothly for a long time."

Al-Kassar is a known arms and drug smuggler who had received money from two Iran/*contra* figures, Albert Hakim and Richard Secord, to buy 100 tons of small arms for the Nicaraguan *contras*. According to the report, he was also the go-between for a French effort in May 1988 that gained the release of French hostages in Lebanon in exchange for an arms shipment to Iran. Al-Kassar was spotted by the CIA team in Frankfurt which, knowing he had close ties to Syria's chief of intelligence, "...approached Al-Kassar and offered to allow him to continue his drug smuggling routes...if he helped arrange the release of the American hostages."

The Interfor Report says that the CIA group in Frankfurt, although it had contact with the West German BKA and the U.S. Drug Enforcement Administration (DEA), operated to some extent as "an internal covert operation, without consistent oversight, à la Oliver North." In the days before the attack on Flight 103, the report states that Al-Kassar learned that a bomb was going to be placed on the plane by Jibril's Popular Front. On the day of the flight, a BKA surveillance agent assigned to watch baggage being loaded "...noticed that the 'drug' suitcase substituted was different" from those used in previous shipments. He phoned in a report to his superiors "saying something was very wrong."

The BKA relayed the information to the CIA unit, which reported to its control in Washington. The report alleges that "Control replied: Don't worry about it, don't stop it, let it go." The CIA in Frankfurt did nothing to prevent the plane from taking off, because the team "did not want to blow its surveillance operation and undercover penetration or to risk the Al-Kassar hostage-release operation." The report postulates that the CIA assumed—incorrectly—that West German authorities, who were also watching the flight, would intervene.

The Interfor Report also explains why a special U.S. hostage rescue team was on board Pan Am 103 when it was destroyed. According to the report, the team, led by Army Major Charles McKee, had learned that the CIA unit in Frankfurt was protecting Al-Kassar's drug pipeline. McKee reported to CIA headquarters he feared "...that [his team's] rescue [operation] and their lives would be endangered by the double-dealing."

When CIA headquarters did not respond, the McKee team decided to return home without permission. The Interfor Report states that "their plan was to bring the evidence back to the United States [of the CIA's involvement with Al-Kassar and drug dealing] ...and publicize their findings if the government covered it up." Agents connected to Al-Kassar

through Syrian intelligence saw the McKee team make their travel arrangements back to the U.S., and, according to the report, Al-Kassar informed his Frankfurt CIA protectors of McKee's plans.

Following the leak of the Interfor Report, Pan Am went before the federal judge hearing the civil suits against the airline and asked that he subpoena the CIA, FBI, DEA, and State Department in an effort to verify Interfor's findings. The government moved to quash the subpoenas on national security grounds. The Justice Department then took the case out of the hands of its local attorneys by sending a team from Washington to handle the litigation. A ruling is still pending.

### Who Was Warned?

There is also considerable controversy surrounding a warning the U.S. government received about a possible plane bombing but never made public. A notice, reportedly based on a tip called into the U.S. Embassy in Helsinki, Finland, was posted in the U.S. Embassy in Moscow and elsewhere—including electronic bulletin boards—where it could be seen by government officials.

The State Department now calls the threat a "hoax." But the FAA took it seriously enough at the time to issue one of its rare security alerts, an alert that was in effect on the day Flight 103 went down. The Pan Am jet, travelling the crowded Frankfurt-London-New York City corridor four days before Christmas, was only two-thirds full. Many relatives of the victims are convinced that this was because government employees avoided the flight.

One official who didn't avoid the flight was Bernt Carlsson, the Swedish U.N. diplomat who successfully negotiated the Namibia accord which led to free elections and a SWAPO-led government in the former South African colony. Carlsson was due at the U.N. the day after the crash to sign the agreement. "Pik" Botha, the South African Foreign Minister, had also been scheduled to fly on Pan Am 103 but he switched his reservation, avoided the flight, and was in New York for the signing.

According to Sanya Popovic, Carlsson's then fiancée, Botha acknowledged at the time that he had been advised to switch planes. Popovic believes that the U.N. also received the warnings about the flight, but that Carlsson was never informed.

The President's Commission on Aviation Security and Terrorism issued its report—not on who was responsible for the bomb, but what, if any, changes should be made in airline security—in mid-May 1990 (see sidebar). The FBI and Scotland Yard have been cooperating with Scottish police (in whose jurisdiction the plane crashed). Their final report will be released in June 1990.

The primary reason that the PFLP-GC is suspected of planting the fatal device, has to do with the similarity between the Pan Am bomb—probably consisting of Semtex, a Czechoslovakian-made plastic explosive hidden in a Toshiba radio—and a bomb found by the BKA during an October 1988 raid on a PFLP-GC safe house in Neuss, West Germany.

That raid, carried out as part of an undercover BKA sur-

veillance operation code-named Autumn Leaves, left West German officials facing intense criticism. Of the 16 people they rounded up, all but one were quickly released from jail. And some of those released are now suspects in the Lockerbie bombing. (The West Germans were further embarrassed when, nearly three months after the Pan Am bombing, several more similar bombs turned up during a subsequent BKA search of the Neuss safe house.) There are enough apparent mistakes and lapses in the West German handling of Autumn Leaves to argue that the bungled investigation allowed the bombers to slip through police hands.



Credit: Associated Press

**Bernt Carlsson (right), U.N. Commissioner for Namibia, was killed in the PanAm 103 bombing.**

That was the impression conveyed in a recent *New York Times Magazine* story on Pan Am 103.<sup>4</sup> The article, edited from a new book, *The Fall of Pan Am 103*, by Steven Emerson and Brian Duffy, focused entirely on the West German police and neglected to mention many of the questions that have troubled reporters and families of the crash victims. The article did not even mention the presence of the CIA personnel on the plane, or describe any of the subsequent CIA actions at the crash site.

The *Times* version of the story surprised Duffy, an assistant managing editor of *U.S. News & World Report*. The book goes into "great detail" about who the CIA officers were, Duffy said. "If the book has news value, it rests in part on our conclusions on who the intelligence officers were and what they were doing." He too was surprised that the *Times* editing of the story focused solely on the West Germans.

In fact, the Emerson/Duffy book is long on speculation and

4. Steven Emerson and Brian Duffy, "Pan Am 103: The German Connection," *New York Times Magazine*, March 18, 1990. An Associated Press wire story on the *Times* article appearing in the *Las Vegas Review-Journal*, March 18, 1990 was headlined, "Book: German bungling allowed jet bombing."

## The President's Commission

The President's Commission on Airline Security and Terrorism issued its report on May 15, 1990, leaving many questions about the bombing of Pan Am 103 unanswered. But it did make a series of recommendations, including that the U.S. should be more willing to attack suspected terrorists and the states that harbor or support them. "National will and the moral courage to exercise it are the ultimate means for defeating terrorism," the Commission says.

The report calls for government officials to become more vigorous in "planning and training for preemptive or retaliatory military strikes against known terrorist enclaves in nations that harbor them." "Rhetoric," the report maintains, "is no substitute for strong, effective, action."

Threatening military action may be a cynical means for dealing with the anger of relatives of the victims. In April 1989, during a meeting with representatives of the relatives, Bush reportedly offered the unsolicited statement that if "the fingers [of guilt] point to state terrorism," there would be a retaliatory strike like the one the Reagan administration launched against Libya.

Beyond the grandstanding, the report focuses serious criticisms on the Federal Aviation Administration (FAA). The Commission found the FAA to be "a reactive agency—preoccupied with responses to events to the exclusion of adequate contingency planning in anticipation of future threats."

In all, the report contained more than 50 specific proposals designed to improve airline safety and thwart terrorist attacks. Some of the proposals will go to the President as recommendations for action by executive order, while others will be introduced in Congress.

short on conclusion. The authors do not purport to know just what happened. They believe that Khalid Jaafar, a young Arab-American from Detroit, "unwittingly" carried the bomb hidden in a bag onto the plane in Frankfurt. Who gave it to him, and why he didn't "examine" the contents, they say, "is the biggest mystery of the Lockerbie investigation."

That, however, is hardly Lockerbie's biggest mystery. For one thing, *Frontline* reported shortly after the Emerson/Duffy book went to press that all of Jaafar's bags had been accounted for. Whichever bag or suitcase held the bomb, had to disintegrate into fragments, thereby clearing Jaafar's name. His parents believe he became a suspect because he had the only Arabic surname on the flight list.

But the more serious questions raised in the investigation have to do with the nature of the investigation, and why so many relatives and reporters feel a fog of disinformation hangs heavy over the crash.

### The Remaining Puzzles

Is the story of Pan Am 103 that some U.S. government, U.N. officials, and foreign leaders were spared because they

And while it was not included in the Commission's report, the FAA was clearly inclined to meet at least one demand voiced by the victims' relatives: On May 10, an FAA spokesman announced that Raymond Salazar, its director of civil aviation security since 1986, would be leaving his post to become the director of the FAA's Center for Management Development in Palm Coast, Florida. An FAA spokesman claimed the move had nothing to do with criticisms arising from Pan Am 103.

According to the executive summary of the nearly 200-page Commission report, the bomb was "probably" placed aboard at Frankfurt. The summary also states that "a partially filled, unguarded baggage container...was later loaded on the flight at Heathrow." That container, according to Commission head Ann McLaughlin, sat unattended for at least half an hour. "The international criminal investigation has not yet determined precisely how the device was loaded onto the plane," the report says.

While the Commission harshly criticizes both the FAA and Pan Am, it lets the U.S. intelligence community off the hook. "The Commission's review showed that no warnings specific to Flight 103 were received by U.S. intelligence agencies from any source at anytime," it reports. And it repeats testimony presented to the Commission by the CIA claiming that the agency "did not send anyone to the [crash] site."

Indeed, an important part of the Commission's report will remain unknown. Part of the body's conclusions—apparently related to a call for more aggressive covert operations intended to prevent or respond to terrorist acts—was sent to the President in a classified letter. •

had access to information indicating that the flight was threatened, while the traveling public was kept in the dark?

Is it the case that in their rush to make flight schedules and cut costs, Pan Am allowed bags that had not been properly searched to be loaded on its plane?

Is it, as Interfor maintains, that a rogue CIA operation trying to free U.S. hostages by protecting a heroin smuggling ring failed to prevent the bomb from going on board?

Is it, as *Frontline* suggests, that experienced U.S. intelligence operatives made fatal security mistakes? Is the CIA trying to hide the fact that it could not bring its people home from Beirut safely?

Whatever the answer may be, many relatives of the victims fear they will never know what allowed the bombing to happen or see those responsible punished. An April 1990 letter to George Bush and Margaret Thatcher, cosigned by Paul Hudson and Jim Swire, co-chairs of "U.K. Families-Flight 103," spoke of the "entirely believable published accounts [that]...both of you have decided to deliberately downplay the evidence and string out the investigation until the case can be dismissed as ancient history." •

# Foreign Intelligence in the U.S.: The Marcos Network and Murder

by Dan Junas\*

On June 1, 1981, two Filipino-American union officials were gunned down with a hand-held Mac-10 automatic weapon in their union hall in Seattle, Washington's historic Pioneer Square district. Gene Viernes died on the spot, but his friend Silme Domingo lived long enough to name his assailants, members of the Filipino Tulisan Gang.

Domingo and Viernes had recently been elected on a reform slate as Secretary-Treasurer and Dispatcher, respectively, of Local 37 of the International Longshoremen Workers Union (ILWU), which represents predominantly Filipino workers in the Alaska fish canneries. Law enforcement officials assumed that the motive for the double murder was the Tulisan gang's resentment over Domingo and Viernes's efforts to reform the union's dispatch system.

Domingo and Viernes, however, had also been using their position in the union to challenge the power of Ferdinand and Imelda Marcos. In fact, they had been threatening the so-called conjugal dictators far more than even Domingo and Viernes realized. Friends and family of the slain activists, who refused to believe that the murders were motivated by a simple "dispute over dispatch," immediately formed the Committee for Justice for Domingo and Viernes (CJDV). Led by Silme's sister Cynthia and Silme's and Gene's friend, attorney Michael Withey, the CJDV conducted an extensive investigation that culminated in a civil law suit against the Marcoses.

In December 1989, eight and a half years after the murders, a jury found that the Marcoses were indeed liable for the deaths of Domingo and Viernes and awarded the plaintiffs—the families of Domingo and Viernes—\$15 million.

The trial established a profound precedent in international law. For the first time, a foreign dictator was deposed, tried, and held legally liable for crimes committed while in office.

Perhaps even more profound than the legal precedent was evidence presented in the case which showed that the Philippine intelligence apparatus had operated in this country, against U.S. citizens, with the complicity of the U.S. government. The Committee for Justice demonstrated clearly how a U.S. foreign policy that disrespects human rights abroad diminishes human rights at home.

Ferdinand Marcos declared martial law in the Philippines in September 1972, as a way of avoiding the constitutional provision requiring him to step down after two terms in office. A central premise of the plaintiffs' case was that the murder of Domingo and Viernes represented nothing less than an extension of the Marcos regime into the United States. For that reason, the current Foreign Minister of the Philippines, Raul

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Manglapus, who was himself a target of the Marcos network in the U.S., testified by videotape about the pattern of arbitrary detention, torture, disappearances, and "salvaging," or summary execution, of those who opposed the Marcos dictatorship. The plaintiffs then presented an overwhelming body of evidence that drew a vivid connection between abuses committed by Marcos in the Philippines and those committed by his network in this country.

### *Modus Operandi*

Because the plaintiffs were attempting to prove the existence of a conspiracy, they were permitted to introduce broad-ranging evidence on the activities of the Marcos intelligence network, including material that had only an indirect bearing on the case of Domingo and Viernes. Former CIA officer Ralph McGehee, who was called as an expert witness on intelligence, testified that Marcos was indeed conducting covert operations in the United States. Like the CIA, Marcos agents often used diplomatic cover, particularly at consulates in cities with large Filipino populations, such as San Francisco, Honolulu, and Seattle. And like the CIA, the Marcoses faced the problem of laundering funds. Marcos thus established the Philippines Bank of California in San Francisco with his crony, Juan Ponce Enrile, on the board of directors.

McGehee also testified that there are four types of covert operations: political, economic, psychological, and paramilitary (which includes assassination). In the course of the trial, evidence was presented showing that the Marcos network engaged in all four types. The plaintiffs' emphasis, however, was on instances of surveillance, intimidation, harassment and assassination of anti-Marcos activists in such organizations as the Anti-Martial Law Coalition (AMLC), Movement for a Free Philippines (MFP), Friends of the Filipino People (FFP), and the Union of Democratic Filipinos (KDP), to which Domingo and Viernes belonged.

One exile, Geline Avila, who was active in the AMLC and worked closely with Domingo and Viernes, testified about her own experiences with the Marcos network. Surveillance by Marcos agents "was a way of life," and she often received anonymous phone calls telling her, "We know about your relatives in the Philippines." She also described numerous instances when Marcos agents surveilled and harassed demonstrators protesting against the Marcos regime. Cars were vandalized during the demonstrations, and in one case "body-builders" were employed to intimidate the protesters.

The plaintiffs placed special emphasis, however, on three chief targets of the Marcos network, drawing a parallel between their cases and that of Domingo and Viernes. Taken together, these four cases and the circumstances surrounding

them help provide an overview of the rise and fall of the Marcos network.

### The Conjugual Dictators

Primitivo Mijares had been Marcos's chief censor but he broke with Marcos when he became disenchanted with Marcos's abuses. He authored a book, *The Conjugual Dictators*, which was deeply embarrassing to the Marcoses. In 1975, when Mijares was about to further embarrass the Marcoses by testifying before then-Representative Donald Fraser's Subcommittee on International Organizations, Marcos agents offered him a \$50,000 bribe not to testify. Mijares refused. Then on January 7, 1977 Mijares, who was last seen in the company of a Marcos agent, disappeared.



Silme Domingo (left) and Gene Viernes (right) with a long-time member of the Cannery Workers Union.

Although the Marcos bribery attempt presented solid evidence of an illegal attempt to interfere with a federal witness, no action was taken by U.S. authorities.<sup>1</sup> Meanwhile, the Fraser Committee also heard testimony that led to the so-called "Koreagate" scandal. The Fraser Committee's investigation revealed that KCIA agents (the Korean equivalent of the CIA), as well as followers of the Rev. Sun Myung Moon's Unification Church, were also conducting illegal intelligence operations in the United States and enjoyed at least the tacit support of the U.S. covert establishment.<sup>2</sup>

In 1979 a U.S. Senate investigation focused on intelligence agencies of five countries—Iran, Chile, Taiwan, Yugoslavia, and the Philippines—conducting “systematic campaigns inside the United States to spy on, harass, and in some cases plan assassinations.”<sup>3</sup> The Senate report was never released and remains classified to this day. Portions, however, were leaked to the *Washington Post* and to columnist Jack Anderson.

The *Washington Post* article noted that four of the “spy outfits [Iran, Philippines, Taiwan, and Chile] had an important common feature. All had intelligence liaison agreements with

1. Jack Anderson, *Washington Post*, August 11, 1979, p. B11.

2. *Report of the Subcommittee on International Organizations of the Committee on International Relations*, U.S. House of Representatives, Investigation of Korean-American Relations, October 31, 1978.

3. “Foreign Spy Activity Found Rampant in U.S.,” *Washington Post*, August 9, 1979, p. A1.

the CIA, and they operated with a relatively free hand here [in the U.S.]” The article also noted that “the pattern of ‘harassment and intimidation’ of dissidents had had a ‘chilling effect’ on public discussion and attitudes in this country toward governments with controversial human rights records at home.”<sup>4</sup>

After this illegal intelligence activity became public knowledge, the Carter administration made a mild effort to crack down. An August 15, 1979 “Eyes Only” U.S. State Department cable, from U.S. Ambassador to the Philippines Richard Murphy to Assistant Secretary of State Richard Holbrooke, described Murphy’s effort in August 1979 to persuade Marcos to discontinue his network’s activity in the U.S. Murphy “stressed [the] near disaster wrought by Koreagate to ROK-USG [Republic of Korea-U.S. government] relations,” and he presented Marcos with a copy of a Jack Anderson column on Philippine agents. Marcos, Murphy reported, “sought [to] allay any concerns we might have about his authorizing physical violence by Philippine intelligence agents,” although “he skirted the more slippery issues of harassment and intimidation of Filipinos in the U.S.”

The cable also provided evidence that would be crucial in establishing Marcos’s liability in the Domingo and Viernes case. Murphy reported that other than top Marcos security chief General Fabian Ver, “there is no other senior GOP [Government of the Philippines] official with responsibility” for the actions of the Marcos network in the United States.

### The Case of Steve Psinakis

One anti-Marcos activist who experienced harassment and intimidation at the hands of the Marcos network was Steve Psinakis. Psinakis, a Greek-born engineer, had married the daughter of Eugenio Lopez, one of the wealthiest men in the Philippines. Lopez owned a broadcast network as well as the *Manila Chronicle*, which had criticized the abuses of the Marcos regime. When Marcos declared martial law Lopez was vacationing in the United States, where he chose to remain. But in November 1972 Marcos had Lopez’s son, Eugenio Jr., arrested without charges. Marcos began blackmailing the family, forcing them to desist from criticizing the martial law regime and to turn over their financial assets to Marcos cronies. In November 1974, when Marcos’s demands had been met but Eugenio Jr. was not released, the family made a decision to make his case public, and Eugenio Jr. began a hunger strike.

During the period of blackmail, Psinakis, who had come to the United States from Greece when martial law was declared, was in touch with Raul Manglapus and other leaders of the anti-Marcos movement in the U.S. After the hunger strike began, Psinakis acted openly, including working with the MFP, exposing the Mijares bribery attempt and writing a column for the *Philippine News*.

The *Philippine News* was an anti-Marcos weekly published in San Francisco, and, as Psinakis testified, Marcos sought to silence it. In an example of an economic covert operation that curtailed freedom of the press in the United States, Marcos

4. *Ibid.*

agents pressured businesses that advertised in the *Philippine News*—mostly travel agents dependent on the Philippines consulate for business—to “pull their ads or suffer the consequences.”

Psinakis himself also received threatening, late-night phone calls, and in October 1979 his life was directly threatened. Shortly after a Movement for a Free Philippines convention, where new steps were taken against the Marcos dictatorship, Psinakis was driving to a restaurant in San Francisco’s financial district. Two men pulled up next to him, and the man closest to him raised a gun to his temple and told him, “This is to show you how easy it is to stop your activities.”

Psinakis reported the incident to the FBI, although he expected them to take no action. Indeed, after Ronald Reagan was elected president, the FBI itself would be taking action against Psinakis.

### Reagan, Marcos, and Friendly States

The Carter administration had criticized the Marcos regime’s human rights abuses in the Philippines and objected to his illegal intelligence network in the United States. Under Reagan, however, the Marcos regime enjoyed much greater freedom of action. A confidential memo, from the Embassy of the Philippines in Washington prepared after Reagan’s election, noted that “human rights will not be the sole criterion in making policy determinations toward friendly states.” Instead, the Reagan administration would emphasize combatting terrorism.

Marcos was quick to take advantage of this new policy line. Shortly after Reagan was elected, Marcos announced that he “would file a ‘formal protest’ with the United States government and ‘demand that action be taken’ against Filipino and American citizens in the United States,” whom Marcos claimed were responsible for the actions of urban guerrillas in Manila.<sup>5</sup>

The Philippine Embassy’s memo provided an analysis that justified this action, claiming that anti-Marcos activists in the U.S. had “definitely adopted a radical change in their general policy, shifting from peaceful means to outright violence as a way of bringing about the political change they desire to effect in the Republic [of the Philippines].”

What was really changing, of course, was not the tactics of the opposition, but rather the tactics of the Reagan and Marcos administrations. In December 1980, according to a legal brief filed by Psinakis’s lawyers in U.S. District Court, Imelda Marcos met with Psinakis and Marcos opposition leaders Senators Benigno Aquino (the late husband of current Philippines President Corazon Aquino) and Heherson Alvarez.

Mrs. Marcos attempted in those meetings to convince and coerce Psinakis, Aquino, and Alvarez to curtail their criticisms of the Marcos regime. She told each of them that she had received from President-elect Reagan and Vice President-elect Bush their commitment to support the martial law

5. James J. Brosnahan, George C. Harris, Morrison & Foerster, Attorneys for Steve E. Psinakis; Brief filed in United States District Court, Northern District of California, *United States of America, v. Steve Elias Psinakis, and Charles Avila*, May 13, 1988.

regime in the Philippines, and their further specific commitment to investigate and prosecute Marcos’s opponents in the United States.<sup>6</sup>

After the inaugural, according to the same brief, the Reagan administration indeed made a political decision to support the Marcos dictatorship by agreeing to investigate and prosecute Marcos’s opponents in the United States. Those opponents included the late Senator Benigno Aquino, Raul Manglapus, Mr. Psinakis, and others. The United States federal investigation was fueled by so-called “evidence” supplied by Marcos to the administration in the United States. Marcos agents and United States government agents collaborated to generate, for political reasons, testimony in the United States against the leaders of the U.S.-based opposition to the Marcos dictatorship.<sup>7</sup>

In 1986, Psinakis was indicted on charges of sending explosives to the Philippines to be used in an anti-Marcos plot. The evidence used against him included remnants of detonation cord and wrappings of packages in which high explosive powder and cord had allegedly been shipped to Psinakis dated from searches supposedly made in 1981. On June 7, 1989, however, Psinakis

was found innocent of all charges.<sup>8</sup>

After the inauguration, the Reagan administration indeed made a political decision to support the Marcos dictatorship by agreeing to investigate and prosecute Marcos’s opponents in the United States.

In an effort to show the Marcos regime in its true light, Psinakis’s attorneys introduced into evidence examples of Filipino state-sponsored terrorism. One of these more infamous events was the murder of Benigno Aquino. Sen. Aquino was Marcos’s most serious political rival in the Philippines, and originally Marcos had him imprisoned. Later, Marcos permitted Aquino to go to the United States for medical treatment, and after he recovered, Aquino became a vocal opponent of the Marcos regime.

In early 1983 Aquino decided to return to the Philippines, but he was murdered at the airport immediately after he arrived in Manila. The Philippine government commission which investigated the murder, found General Fabian Ver responsible. Ver first denied, but later admitted, that Aquino had been surveilled in the United States. The Agrava Commission found that this surveillance had played an important part in the assassination.

6. *Ibid.*

7. *Ibid.*

8. Pamela A. MacLean, *Seattle Times*, June 8, 1989, p. A11.

# Counterinsurgency in the Philippines: OPLAN JERICHO

by Stephen R. Shalom\*

The United States has long been involved in counter-insurgency in the Philippines. At the turn of the century, U.S. military forces waged a brutal war against Filipinos struggling to free themselves from foreign rule. Since the Philippines achieved independence in 1946, the U.S. has provided military advisers and weapons and has undertaken covert operations in support of counter-insurgency efforts against those who have challenged the *status quo*.

The first serious challenge came in the early 1950s from the Huks, a peasant-based guerrilla organization. The U.S. poured in military and economic aid, dispatched advisers who ran the Philippine counter-insurgency campaign, set up and advised Philippine intelligence services, flew clandestine bombing missions from Clark Air Force Base, and carried out an elaborate array of covert psychological warfare operations.

The Huks were eventually defeated but the continued immiseration and repression of the Philippine people fueled a new guerrilla war. The New People's Army (NPA) was at the center of this struggle. Again, the U.S. poured in military aid as well as providing counter-insurgency and "civic action" training.<sup>1</sup>

Nevertheless, the insurgency expanded rapidly and by 1985 the panic in Washington had grown palpable. U.S. policymakers tried to engineer a transition from the Marcos dictatorship to another pro-U.S. regime that would resist the demand for progressive social change.<sup>2</sup> The advent of Corazon Aquino threw the left into disarray as the opposition tried to decide how to relate to her presidency.

But the underlying cause of the insurgency—the truly desperate condition of the poor—was not changed by Aquino. Accordingly, the guerrilla war continued and U.S. military aid to the Philippines has increased under Aquino. Funding for CIA operations has been stepped up as well.<sup>3</sup> And, according to a report in the *New York Times*,<sup>4</sup> U.S. military advisers have been routinely accompanying Philippine troops on counterinsurgency operations.

In early 1989, the Chief of Staff of the Armed Forces of the Philippines (AFP) issued a top-secret directive regarding a counterinsurgency program called OPLAN JERICHO. This document, which was leaked to the public,

provides important insight into the current counterinsurgency strategy in the Philippines.

This document reveals the crucial role of the United States in the Filipino counterinsurgency campaign. The short distribution list for the document includes the Chief of the Joint U.S. Military Advisory Group (JUSMAG). U.S. officials often claim that JUSMAG is only responsible for determining Philippine weapons needs and not involved in planning operations. The document shows this claim to be false.

The document also makes reference to JUSMAG's approval of detailing 25 "social engineer specialists" to the AFP. It also mentions an agreement between JUSMAG and the Philippine Department of National Defense regarding civilian participation in counterinsurgency operations in rural areas. There is no indication whether these civilians are Filipino or American. If they are Filipino, it is astounding that JUSMAG must give its approval; if they are from the U.S., it signifies an even greater involvement in the counter-insurgency campaign.

JERICHO suggests a range of tactics to be employed against the "CTs"—communist terrorists. Deep penetration agents (DPAs) are to be used to foment conflict within the NPA leadership. In 1985, DPAs had been used to set off a round of purges among the guerrillas on the island of Mindanao. The government then gave massive publicity to the atrocities—with appropriate exaggeration and omitting the DPA role—trying to liken the NPA to the Khmer Rouge.<sup>5</sup>

OPLAN JERICHO also directs SMOs (special military operations) against leftist political activists. The document states that the "legal fronts" of the communists in the cities are to be "neutralized." No specific fronts are listed and no details are provided as to how the neutralization is to be carried out; suffice it to note that in the past the military has named many grassroots opposition groups as communist fronts and that numerous leaders of the left have been assassinated since 1986. Right wing vigilantes have been set up throughout the country—with the open support of the military and the endorsement of Aquino and the U.S. government—and have been accused of many politically motivated murders.<sup>6</sup>

Part of the mission of OPLAN JERICHO is to "undercut" the peace initiative of the National Democratic Front (NDF) and to "preempt" the NDF campaign against the U.S. military bases. These psychological warfare operations are to be used to undermine NDF efforts to settle the civil war and to thwart any nationalist attempt to eliminate foreign military bases from Philippine soil. ●

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1. Walden Bello and Severina Rivera, *The Logistics of Repression and Other Essays* (Washington, D.C.: Friends of the Filipino People, 1977).

2. See Walden Bello, "Counterinsurgency's Proving Ground: Low Intensity Warfare in the Philippines," in *Low Intensity Warfare*, ed., Michael T. Klare and Peter Kornbluh (New York: Pantheon, 1987).

3. Phil Bronstein, *San Francisco Examiner*, March 22, 1987; Ralph McGehee, "Vigilante Terror: A Report on CIA Inspired Death Squads in the Philippines," *National Reporter*, Fall 1987, pp. 24-31.

4. Michael R. Gordon, *New York Times*, December 2, 1989, p. 1.

5. See, for example, Ross Munro, "The New Khmer Rouge," *Commentary*, December 1985.

6. Lawyers Committee for Human Rights (LCHR), *Vigilantes in the Philippines: A Threat to Democratic Rule* (New York: LCHR, 1988).

The political fallout from this assassination contributed heavily to Marcos's subsequent fall from power which in turn, led to the discovery of vital information on how the Marcos network had also arranged the murder of Domingo and Viernes.

### The Murder of U.S. Citizens

In his opening statement, defense attorney Richard Hibey told the jury that he sought neither to malign Domingo and Viernes, nor to defend the Marcos regime. He sought instead to persuade the jury that the cases of Mijares, Psinakis and Aquino were unrelated to the murder of Domingo and Viernes. The two labor leaders were, he argued, politically unimportant, for they had "labored in a smaller vineyard."

Domingo and Viernes were indeed different from Mijares, Psinakis, and Aquino in one important respect: they were United States citizens. Viernes had been raised near the small town of Wapato, Washington and Domingo in Ballard, a quiet Seattle neighborhood that epitomizes middle American values. The U.S. Constitution, of course, is supposed to protect the civil liberties of Philippine exiles as well as U.S. citizens. It was perhaps a measure, however, of Marcos's confidence in his alliance with the Reagan administration that he would be so bold as to order the murder of U.S. citizens living in the United States.

Domingo and Viernes were targeted by the Marcos network because, as the judge in the case would later conclude, they "posed a substantial threat to the Marcos regime." In addition to their labor activities, the two friends were active in the KDP and AMLC. According to Marcos intelligence reports, the KDP had been identified as early as 1976 as a formidable organization, especially adept at mobilizing community support against the Marcos dictatorship.

An affidavit filed by expert witness Bonifacio Gillego—who was himself a former Philippine intelligence agent, trained by the CIA—said that these reports reflected "an intensive intelligence interest in the KDP over a long period of time," and they were used to form the conclusion that the "KDP posed a serious threat to the internal stability of the Philippines."

Though in some respects Seattle may have been a "smaller vineyard," when Domingo and Viernes were elected to their union posts in December 1980, their potential political influence increased immeasurably. Local 37 of the ILWU is an important institution in the Filipino community. The ILWU is, moreover, a powerful international union which, if mobilized, could bring significant public pressure to bear on the Marcos regime.

It was with this in mind that Viernes travelled to the Philippines in March 1981. He met with Felixberto Olalia, head of the independent trade union organization, the KMU (May First Movement), and gathered evidence of Marcos's repression of the trade union movement in the Philippines. Vier-

**In the United States, four different Philippine intelligence agencies collected information on the anti-Marcos opposition movement in the United States.**

nes also met with anti-Marcos activists in the youth and student movements, and travelled to zones controlled by the New People's Army.

The following month, Viernes returned to Hawaii, where he met Domingo prior to the ILWU International Convention in Honolulu. Domingo and Viernes got the convention to pass a resolution criticizing Marcos's anti-labor decrees and authorizing an ILWU investigatory team to travel to the Philippines to investigate conditions facing working people.

Princeton Professor Richard Falk, an expert witness on international law and human rights, explained to the jury why the ILWU resolution presented a serious threat to Marcos. On the one hand, since Marcos needed to keep wages low to attract international capital, he felt vulnerable to the challenge emerging from an independent labor movement, represented by the KMU. On the other hand, Marcos was extremely sensitive to criticism of his human rights record, for if a true picture of the abuses in the Philippines became known, it could jeopardize loans from the International Monetary Fund and the World Bank. These considerations made Domingo and Viernes, Falk testified, "precisely the kind of targets Marcos selected" for summary execution.

### Marcos Testifies

In a videotaped deposition, Marcos himself testified "that if [a] person came to the Philippines to aid the New People's Army, the first reaction of his government would have been to find out from the U.S. government what information and files they had on him." The CJDV's investigation revealed that both the FBI and the Naval Investigative Service (NIS) had investigated the KDP, so it seems likely that U.S. agencies did indeed share information on Viernes.<sup>9</sup> (The United States government was originally named in the Domingo/Viernes suit, but Judge Donald Voorhees, who preceded Rothstein on the case, ruled against including the U.S. on the grounds that there was neither evidence that the United States government was involved in the conspiracy nor that the United States government had foreknowledge of the murders.)

Marcos "further testified that the 'entire government' would have surveilled a person like Viernes, who travelled to visit the NPA." Such surveillance might have been carried out by any one of numerous intelligence organizations of the Philippine government like the Intelligence Section of the Armed Forces of the Philippines, the National Intelligence and Security Agency, the Presidential Security Command, or the National Bureau of Investigation.<sup>10</sup>

9. Withey, Michael E., Brief filed in United States District Court, Western District of Washington at Seattle, *Estate of Silme G. Domingo et al. v. Ferdinand Marcos, et al.*, June 1, 1989.

10. Gillego, Bonifacio, Affidavit filed in United States District Court, Western District of Washington at Seattle, *Estate of Silme G. Domingo, et al., v. Republic of the Philippines, et. al.*, February 15, 1989; Defense Intelligence Agency Circular, July 23, 1982.

In the United States, four different Philippine intelligence agencies collected information on the anti-Marcos opposition movement in the United States. And as early as March 1981 — shortly after Reagan took office — “new, high-level and Philippine intelligence agents were selected for assignment in the United States with the mission of monitoring and ‘operating against’ anti-Marcos Philippine dissidents.”<sup>11</sup>

After the ILWU convention, two individuals in particular would “operate against” Domingo and Viernes. One was Constantine “Tony” Baruso, the President of Local 37. He, like Marcos, was born in the Ilocos region of the Philippines, and was known in the Filipino community as a staunch Marcos loyalist. And he was, according to Gillego’s testimony, also an asset of the Marcos intelligence network.



Credit: John Stamets

#### Tony Baruso, implicated in Domingo and Viernes murder.

The other was San Francisco physician, Dr. Leonilo Malabed. He was a childhood friend of Marcos’s, and he was known as “the eyes and ears of Marcos” in the United States.

Evidence pointing toward Malabed had been uncovered by Gillego after the fall of Marcos. Gillego had been appointed by President Aquino to the Presidential Commission on Good Government, which was attempting to recover the wealth Marcos had stolen from the Philippines. In that capacity, Gillego had the opportunity to review documents seized by U.S. Customs from the Marcoses after they fled the Philippines. Among those documents was a statement of expenses for the Mabuhay Corporation of San Francisco, California, which Gillego recognized as a front organization in the Marcos network. The Mabuhay Corporation provided a cover for an intelligence slush fund controlled by Malabed.

The Mabuhay statement showed an expenditure of \$15,000 on May 17, 1981, within weeks of the ILWU convention, for a “special security project.” This item coincided with a trip that Baruso had made to San Francisco. The plaintiffs argued that the \$15,000 was paid to Baruso to arrange the murder of Domingo and Viernes. Although Malabed denied participation in the murder, he “produced no credible evidence” explaining this payment.<sup>12</sup>

On May 30, Baruso met privately with Fortunato “Tony”

11. *Ibid.*

12. United States District Court, Western District of Washington at Seattle, *Estate of Silme G. Domingo, et al., v. Republic of the Philippines, et al.*, Memorandum Decision, January 12, 1990.

Dictado, leader of the Filipino Tulisan Gang. On June 1, 1981, Dictado and gang members Jimmy Ramil, Ben Guloy, and Teodorico Domingues (also known as Boy Pilay) went to the Local 37 union hall in Pioneer Square. Ramil, Guloy and Pilay entered the hall and shot and killed Domingo and Viernes. The murder weapon was a Mac-10 .45 caliber automatic weapon belonging to Tony Baruso.

Ramil, Guloy, and Dictado were later convicted of the murder, and Pilay, who testified at the murder trial, was himself murdered in January 1983. Baruso, curiously, was never charged. In the Domingo/Viernes trial, the plaintiffs presented evidence of Baruso’s direct involvement in the murder that was, according to the judge, “overwhelming.”<sup>13</sup> Yet the King County Prosecutor’s Office, with vastly superior resources at its disposal, simply claimed that it had lacked “sufficient evidence” to charge Baruso, suggesting that perhaps the prosecutor’s office had succumbed to outside political pressure not to pursue the case. King County Prosecutor Norm Maleng refused to be interviewed to discuss this possibility, but his spokesman denied that political considerations had played a role and said that as a result of the recent trial, Baruso’s case is being reevaluated.

In the case of Domingo and Viernes, the jury held the Marcoses liable and the judge found that Marcos agents Baruso and Malabed were liable as well. In the decision the judge concluded that the plaintiffs have provided clear, cogent and convincing evidence that the Marcoses created and controlled an intelligence operation which plotted the murders of Domingo and Viernes and that Mabuhay funds were paid to Baruso and used to perpetrate the assassination.<sup>14</sup>

It is ironic that “Mabuhay” is a Filipino toast that means “long life.” It is a further irony that within a month of the murders then-Vice President George Bush toasted Marcos, stating that: “We love your adherence to democratic principles and processes.”

Perhaps the greatest irony, however, lies in the concept of national security. In the course of their investigation, CJDV uncovered evidence that the FBI was aware of “assassination plots and/or threats of physical violence or kidnapping against members of the anti-Marcos opposition in the United States.”<sup>15</sup> Yet instead of exposing and combatting this terrorism the United States government at best looked the other way, and at worst actively collaborated in it.

“Liaison” arrangements with the foreign intelligence agencies of repressive regimes are tolerated — and kept secret — on grounds of “national security.” As a result, U.S. citizens are subject to the same kinds of heinous covert actions that U.S. intelligence agencies perpetrate in foreign countries.

In theory, the doctrine of national security is supposed to protect life and liberty. In the case of Silme Domingo and Gene Viernes, it did just the opposite. ●

13. United States District Court, Western District of Washington at Seattle, *Estate of Silme G. Domingo, et al., v. Republic of the Philippines, et al.*, Memorandum Decision, January 12, 1990.

14. *Ibid.*

15. Withey, Michael E., Brief filed in United States District Court, Western District of Washington at Seattle, *Estate of Silme G. Domingo et al., v. Ferdinand Marcos, et al.*, June 1, 1989.

# Death Squads in El Salvador:

## A Pattern of U.S. Complicity

by David Kirsh\*

In 1963, the U.S. government sent 10 Special Forces personnel to El Salvador to help General José Alberto Medrano set up the Organización Democrática Nacionalista (ORDEN) – the first paramilitary death squad in that country. These Green Berets assisted in the organization and indoctrination of rural “civic” squads which gathered intelligence and carried out political assassinations in coordination with the Salvadoran military.<sup>1</sup>

Now, there is compelling evidence to show that for over 30 years, members of the U.S. military and the CIA have helped organize, train, and fund death squad activity in El Salvador.

In the last eight years, six Salvadoran military deserters have publicly acknowledged their participation in the death squads. Their stories are notable because they not only confirm suspicions that the death squads are made up of members of the Salvadoran military, but also because each one implicates U.S. personnel in death squad activity.

The term “death squad” while appropriately vivid, can be misleading because it obscures their fundamental identity. Evidence shows that “death squads” are primarily military or paramilitary units carrying out political assassinations and intimidation as part of the Salvadoran government’s counterinsurgency strategy. Civilian death squads do exist but have often been comprised of off-duty soldiers financed by wealthy Salvadoran businessmen.

It is important to point out that the use of death squads has been a strategy of U.S. counterinsurgency doctrine. For example, the CIA’s “Phoenix Program” was responsible for the “neutralization” of over 40,000 Vietnamese suspected of working with the National Liberation Front.<sup>2</sup>

Part of the U.S. counterinsurgency program was run from the Office of Public Safety (OPS). OPS was part of U.S. AID, and worked with the Defense Department and the CIA to modernize and centralize the repressive capabilities of client state police forces, including those in El Salvador.<sup>3</sup> In 1974 Congress ordered the discontinuation of OPS.

In spite of the official suspension of police assistance between 1974 and 1985, CIA and other U.S. officials worked with Salvadoran security forces throughout the restricted period to

\*David Kirsh is author of the booklet, “Central America Without Crying Uncle.” It is available for \$2 (ask for multiple-copy rates) from Primer Project, 107 Mosswood Court, Chapel Hill, NC 27516.

1. Allan Nairn, “Behind the Death Squads,” *The Progressive*, May 1984. Reprints are still available from *The Progressive*.

2. Michael McClintock, *The American Connection*, Vol. I (London: Zed Press, 1985).

3. The “Interdepartmental Technical Subcommittee on Police Advisory Assistance Programs,” U.S. State Department, June 11, 1962, cited in *The American Connection*, Vol. I, *op. cit.*, n. 1. “In general [the] CIA endeavors to develop the investigative techniques, and AID (Agency for International Development) [develops] the capabilities of the police to deal with the military aspects of subversion and insurgency.”

centralize and modernize surveillance, to continue training, and to fund key players in the death squad network.<sup>4</sup>

Even though the U.S. government’s police training program had been thoroughly discredited, the Reagan administration found other channels through which to reinstate police assistance for El Salvador and Honduras. Attached to this assistance is the requirement that the president certify that aid recipients do not engage in torture, political persecution, or assassination. Even so, certain members of Congress showed concern over the reinstatement of police aid to repressive regimes. In a Senate Foreign Relations Committee hearing, Senator Claiborne Pell (Dem.-Rhode Island) asked, “I was talking about cattle prods specifically. Would they be included or not?”

Undersecretary of State for Latin American Affairs Elliott Abrams replied, “Well, I would say that in my view if the police of Costa Rica, with their democratic tradition, say that for crowd control purposes they would like to have 50 shot [sic] batons, as they are called in a nonagricultural context, I would personally want to give it to them. I think that government has earned enough trust, as I think we have earned enough trust, not to be questioned, frankly, about exporting torture equipment. But I would certainly be in favor of giving it to them if they want it.”<sup>5</sup>

### Death Squad Members, Testimony

César Vielman Joya Martínez, a soldier in the First Infantry Brigade’s Department 2 (Intelligence), is the most recent Salvadoran to admit his involvement in death squad activity. At a November 1, 1989 press conference Joya Martínez stated that certain military units in Department 2 carried out “heavy interrogation” (a euphemism for torture) after which the victims were killed. The job of his unit was to execute people by strangulation, slitting their throats, or injecting them with poison. He admitted killing eight people and participating in many more executions. He stated that the Brigade Commander had sent written orders to carry out the killings and that the use of bullets was forbidden because they might be traced to the military.<sup>6</sup>

Joya Martínez also claims that one of the U.S. advisers working with the First Brigade sat at a desk next to his and received “all the reports from our agents on clandestine captures, interrogations...but we did not provide them with

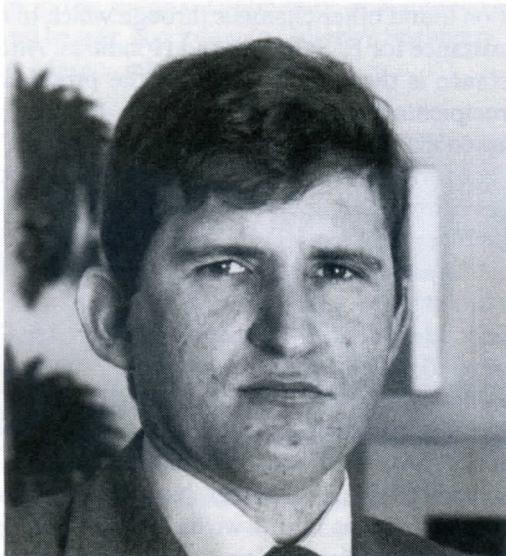
4. *Op. cit.*, n. 1

5. “The Central American Counterterrorism Act of 1985,” hearing of the Senate Foreign Relations Committee, November 5 and 19, 1985, p. 19.

6. “Army Deserters’ Testimony Reveals U.S. Role,” *Alert!*, November 1989, p. 6; David Bates, “Blood Money: assassin says he slit throats while U.S. wrote checks,” *In These Times*, November 15-21, 1989.

reports on the executions. They did not want to hear of the actual killings." U.S. advisers authorized expenses for such extras as black glass on squad vans to allow executions to take place unobserved; provided \$4,000 for the monthly budget; and conducted classes in recruiting informants and conducting intelligence reconnaissance.<sup>7</sup>

Another Salvadoran soldier, Ricardo Castro, is the first officer to come forward with information about death squad activity. Castro graduated from West Point in 1973 and was a company commander in the Salvadoran Army. He translated



Credit: Barry Thumma, Associated Press

**Ricardo Ernesto Castro, former death squad member.**

for several U.S. advisers who taught, among other subjects, interrogation techniques. Castro claims that one U.S. instructor worked out of the Sheraton Hotel (taken over briefly during the November 1989 FMLN offensive) and emphasized psychological techniques. Castro recalled a class where Salvadoran soldiers asked the adviser about an impasse in their torture sessions:

He was obviously against torture a lot of the time. He favored selective torture.... When they learned something in class, they might go back to their fort that night and practice.... I remember very distinctly some students talking about the fact that people were conking out on them...as they were administering electric shock. 'We keep giving him the electric shock, and he just doesn't respond. What can we do?'.... The American gave a broad smile and said, 'You've got to surprise him. We know this from experience. Give him a jolt. Do something that will just completely amaze him, and that should bring him out of it.'<sup>8</sup>

7. "Salvadoran Killings Cited-Deserter Links U.S. Advisors to Army Unit," *Washington Post*, October 27, 1989; *op. cit.*, n. 6.

8. Allan Nairn, "Confessions of a Death Squad Officer," *The Progressive*, March 1986; *Associated Press*, February 13, 1986.

Castro revealed that he held monthly briefings with then-deputy CIA chief of station in El Salvador Frederic Brugger who had recruited him for intelligence work after meeting at an interrogation class. Castro also claimed to have knowledge of the perpetration of large massacres of civilians by Army Department 5.

In December 1981, he met in Morazán Province with one of the officers that the U.S. instructor had advised. "They had two towns of about 300 people each, and they were interrogating them to see what they knew. Since I...knew something about interrogations, he said he might want me to help. The Major told me that after the interrogation, they were going to kill them all." Castro was, however, reassigned and did not participate. Later, his pro-government mother told him, "You know, son, these guerrillas, they invent the wildest lies. They say that in December, 600 civilians were killed in Morazán." "Oh, shit, I was hoping I'd been dreaming it," he thought. "I later found out, they did go in and kill them after all."<sup>9</sup>

René Hurtado worked as intelligence agent for the Treasury Police, one of the three Salvadoran paramilitary forces. After a falling out with an officer, he fled to Minnesota, took refuge with a Presbyterian Church congregation, and began describing routine torture methods used by paramilitary forces. These included beatings, electric shock, suffocation, and mutilation. He described techniques such as tearing the skin from "interrogation" subjects, sticking needles into them, or beating them in such a manner that lasting internal injuries but no telltale external marks would be sustained. According to Hurtado, CIA employees and Green Berets taught some of these torture techniques to the Treasury Police in Army staff headquarters.<sup>10</sup>

General John Vessey, chairman of the Joint Chiefs of Staff, was particularly disturbed by the implication of the Green Berets and initiated an investigation. The investigator from the Army Criminal Investigation Division stated, "My job was to clear the Army's name and I was going to do whatever [was] necessary to do that." Hurtado refused to cooperate with the investigator on the advice of a member of Congress whom the church parishioners had called upon. When the investigator was told this by the minister, he responded, "Tell Mr. Hurtado that the Congressman has given him very costly advice. When I went to El Salvador to investigate his allegations, at the advice of the U.S. Ambassador, I did not talk to members of the Salvadoran military. If I go again and talk to the military, we don't know who will be hurt, do we?"<sup>11</sup>

Following revelations of U.S. involvement in death squad activities, the House and Senate Intelligence Committees reported on allegations of U.S. complicity in death squad activity. The Republican-dominated Senate panel confirmed that Salvadoran officials were involved, but denied any direct

9. *Ibid.*

10. *Op. cit.*, n. 1; "Church-protected refugee says he raped, tortured," *Minneapolis Star and Tribune*, July 8, 1984. U.S. Special Forces and other military units are well-trained in torture techniques: see Donald Duncan, *The New Legions* (New York: Random House, 1967), pp. 156-161; and "The Navy: Torture Camp," *Newsweek*, March 22, 1976.

11. Allan Nairn, "Assault on Sanctuary," *The Progressive*, August 1985.

U.S. role, keeping certain portions of its report classified.<sup>12</sup> The House Committee stated that, "U.S. intelligence agencies have not conducted any of their activities in such a way as to directly encourage or support death-squad activities." Rep. James Shannon (Dem.-Mass.), who requested the inquiry, commented that the report was "certainly not as conclusive as the committee makes it sound."<sup>13</sup>

#### Varelli, Carranza, Montano, and others

Frank Varelli is the son of a former Salvadoran Minister of Defense and National Police commander. When Varelli's family came to the U.S. in 1980, Varelli started working as an FBI informant. Years later, he publicly revealed his role in FBI covert operations against domestic organizations opposing Reagan's Central American policy. He has also asserted that the Salvadoran National Guard gave him death lists which he compared to lists of Salvadorans in the U.S. awaiting deportation back to El Salvador. Varelli believes some may have been killed on their return to El Salvador. He reported these contacts with the National Guard to the FBI.<sup>14</sup>

Former Colonel Roberto Santivanez claimed that the then-chief of the Salvadoran Treasury Police, Nicolas Carranza, was the officer most active with the death squads.<sup>15</sup> Colonel Carranza is also alleged to have received \$90,000 annually from the CIA.<sup>16</sup> Carranza has confirmed the close working relationship of the paramilitary forces with U.S. intelligence. "[They] have collaborated with us in a certain technical manner, providing us with advice. They receive information from everywhere in the world, and they have sophisticated equipment that enables them to better inform or at least confirm the information we have. It's very helpful."<sup>17</sup>

Carlos Antonio Gómez Montano was a paratrooper stationed at Ilopango Air Force Base. He claimed to have seen eight Green Beret advisers watching two "torture classes" during which a 17-year-old boy and a 13-year-old girl were tortured. Montano claimed that his unit and the Green Berets were joined by Salvadoran Air Force Commander Rafael Bustillo and other Salvadoran officers during these two sessions in January 1981. A Salvadoran officer told the assembled soldiers, "[watching] will make you feel more like a man."<sup>18</sup>

#### Montano claims to have seen eight Green Beret advisers watching two "torture classes."

Above are the accounts of the death squad deserters. Non-military sources have also reported the participation of U.S. personnel. For example, another (highly-placed anonymous civilian) source maintained that Armed Forces General Staff Departments 2 and 5 (organized with help from U.S. Army Colonel David Rodríguez, a

Cuban-American) used tortures such as beating, burning and electric shock.<sup>19</sup> U.S. involvement has also been asserted in sworn accounts by some victims of torture. José Rubén Carrillo Cubas, a student, gave testimony that during his detention by the Long Distance Reconnaissance Patrol (PRAL) in 1986, a U.S. Army Major tortured him by applying electric shocks to his back and ears.<sup>20</sup>

Various sources have reported the use of U.S.-manufactured torture equipment. René Hurtado, for example, explained, "There are some very sophisticated methods...of torture.....[like the machine] that looks like a radio, like a transformer; it's about 15 centimeters across, with connecting wires. It says General Electric on it...."<sup>21</sup>

Many other documented accounts of brutality by U.S.-trained and advised military units exist. Indeed, the elite Atlacatl Battalion has been implicated in several massacres over the past ten years<sup>22</sup> and members of the battalion have been indicted for the November slayings of the six Jesuit priests and two women.

It is widely accepted, in the mainstream media and among human rights organizations, that the Salvadoran government is responsible for most of the 70,000 deaths which are the result of ten years of civil war.<sup>23</sup> The debate, however, has dwelled on whether the death squads are strictly renegade military factions or a part of the larger apparatus. The evidence indicates that the death squads are simply components of the Salvadoran military. And that their activities are not only common knowledge to U.S. agencies,<sup>24</sup> but that U.S. personnel have been integral in organizing these units and continue to support their daily functioning. ●

19. *Christian Science Monitor*, op. cit., n. 15.

20. "Torture in El Salvador," CDHES (the Commission for Human Rights in El Salvador), September 1986. The PRAL has received assistance from CIA officer Felix Rodríguez, good friend of George Bush and Donald Gregg, *Z Magazine*, December 1989, p. 57.

21. Op. cit., n. 1; also see Michael Klare and Cynthia Arnson, *Supplying Repression* (Washington, D.C.: Institute for Policy Studies, 1981), p. 6, about the U.S. supplying torture equipment.

22. "The Central American Counterterrorism Act of 1985," House of Representatives, hearing of the Committee on Foreign Affairs, October 24 and November 19, 1985, p. 165. This is the same Atlacatl Battalion referred to in 1985, by then-Deputy Assistant Secretary of Defense Nestor Sanchez as, "The unit that has received the most intensive U.S. training...[and] conducts itself with the populace in such a way that it gains their support."

23. Lindsey Gruson, "Salvador Army Is Said to Seize Rebel Positions," *New York Times*, November 16, 1989.

24. House Foreign Affairs Committee Hearing, op. cit., n. 22, pp. 66-73; "Exiles Linked to Salvador Death Squads; Ex-Envoy Says Miami-Based Refugees Direct and Finance Groups," *Los Angeles Times*, February 7, 1984; "U.S. on trial- A class-action suit cross-examines the administration's entire policy on El Salvador," *In These Times*, February 18-24, 1987.

12. "Officials in El Salvador Linked to Death Squads," *Associated Press*, October 12, 1984.

13. Robert Parry, "Panel reports CIA did not support death squads," *Associated Press*, January 14, 1985.

14. Carlos Norman, "Frank Varelli & the FBI's Infiltration of CISPES," *Our Right to Know* (publication of the Fund for Open Information and Accountability), Spring/Summer 1987; *Los Angeles Times*, February 21, 1987.

15. Dennis Volman, "Salvador death squads, a CIA connection?" *Christian Science Monitor*, May 8, 1984. Santivanez was cited as the (at the time) anonymous military source for the article.

16. *New York Times*, March 22, 1984. Colonel Carranza's CIA salary was confirmed by the Senate Select Committee on Intelligence.

17. Op. cit., n. 1.

18. Raymond Bonner, "U.S. Advisers Saw 'Torture Class,' Salvadoran Says," *New York Times*, January 11, 1982.

# Publications of Interest

## The Coors Connection

*The Coors Connection: How Coors Family Philanthropy Undermines Democratic Pluralism*, by Russ Bellant, is an in-depth look at one family's widespread influence on U.S. democracy. The Coors family members have financed an interlocking network of ultra-conservative and far-Right institutions which have gained respectability during the past decade. See the Council for National Policy article in this issue, p. 21.

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# Gangsters, Goons, and Guidance Systems: Taiwan Government Agents in the U.S.

by Marc J. Cohen\*

On January 16, 1985, the Nationalist Chinese government on Taiwan announced the arrest of three officials of its own Defense Intelligence Bureau in connection with the murder three months earlier of Henry Liu at his home in Daly City, California.<sup>1</sup> Liu, a Chinese-born U.S. citizen, had lived in Taiwan from 1949 to 1967, and was a longtime critic of the Nationalists.<sup>2</sup>

Eventually, courts in Taiwan convicted all three intelligence officers, including Vice-Admiral Wang Hsi-ling, the director of the Bureau, of murder. However, the Taiwan government insists to this day that Admiral Wang and his associates acted *on their own* in contracting with gangsters to eliminate Liu.<sup>3</sup> The Nationalists' extensive past use of the Intelligence Bureau to do away with overseas critics makes this claim extremely difficult to accept.<sup>4</sup>

Whatever the role of higher officials in the Liu murder, it was definitely not an isolated incident. Only three years earlier, Chen Wen-chen, a professor at Carnegie-Mellon University in Pittsburgh and a permanent resident of the U.S., died under mysterious circumstances during a visit home to Taiwan. The day before, he had undergone a lengthy interrogation by Taiwan's secret police about his activities in the U.S. in support of legal opposition groups in Taiwan. An independent autopsy strongly suggested that Chen had been tortured.

During a congressional inquiry into this affair, witnesses presented testimony about a network of Taiwan government agents operating in the United States, conducting surveillance of Taiwanese students at U.S. universities, infiltrating Taiwanese-American community organizations, and threatening reprisals such as loss of passports, forced exile, imprisonment back in Taiwan, or actions against family members on the island. The agents were said to have had a chilling impact in-

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1. *Taiwan Communique*, No. 18, February 8, 1985, p. 3. This periodical is published in The Hague by the International Committee for Human Rights in Taiwan.

2. For Liu's biography, see *The Murder of Henry Liu*, Hearings and Markup Before the Committee on Foreign Affairs and its Subcommittee on Asian and Pacific Affairs, House of Representatives, Ninety-Ninth Congress, February 7; March 21; April 3, 1985 (Washington, D.C.: U.S. Government Printing Office, 1985), pp. 46-47 (Prepared Statement of Helen Liu).

3. *Taiwan Communique*, No. 20, June 18, 1985, pp. 5-8; *Taiwan Communique*, No. 34, May 28, 1988, p. 13; "60 Minutes" segment on the Liu murder, broadcast March 3, 1985.

4. I am grateful to a former Taiwan government operative now living in the U.S. for information on this subject.

deed upon freedom of expression among Taiwanese in the U.S., including those who have gained U.S. citizenship.<sup>5</sup>

As a result of the apparent role of such campus spies in Chen's death, Congressman Stephen J. Solarz (Dem-New-York), Chairman of the Subcommittee on Asian and Pacific Affairs, sponsored legislation denying arms sales to "any country determined by the President to be engaged in a consistent pattern of acts of harassment or intimidation directed against individuals in the United States." Given the importance of the U.S. to Taiwan as an arms supplier and diplomatic patron (despite the absence of formal relations), Solarz believed that the legislation would serve as a strong deterrent.<sup>6</sup>

The Liu murder cast considerable doubt upon the law's effectiveness. On the other hand, the latter killing led to a serious deterioration in U.S.-Taiwan relations over the course of 1985. This article will review the history of the problem and examine the ongoing Taiwan intelligence operation in the U.S.

## Background

The Kuomintang (KMT, or Chinese Nationalist Party) gained control of Taiwan following World War II. Since 1949, when the top KMT leadership fled to Taiwan from mainland China, it has maintained a one-party authoritarian state, ruling under martial law. In July 1987, the KMT lifted martial law but has continued to place restrictions on the exercise of civil and political rights. An extensive network of secret police, party cadres, informal "patriotic organizations," and freelance enforcers bolster the KMT's grip on power.<sup>7</sup>

Since 1965, large numbers of Taiwanese have immigrated to the U.S. in pursuit of economic and educational opportunities. Though many overseas Taiwanese have eschewed political activity, from the late 1940s on, there have been expatriate groups which campaigned for human rights and political change on the island. From the beginning, there was evidence that KMT agents infiltrated these organizations.<sup>8</sup>

Today, according to the *Far Eastern Economic Review*, more than 93% of the Taiwanese students enrolled overseas

5. See *Taiwan Agents in America and the Death of Prof. Chen Wen-chen*, Hearings Before the Subcommittees on Asian and Pacific Affairs and on Human Rights and International Organizations, Committee on Foreign Affairs, House of Representatives, Ninety-Seventh Congress, First Session, July 30 and October 6, 1981 (Washington, D.C.: U.S. Government Printing Office, 1982).

6. *Ibid.*

7. For more detail, see Marc J. Cohen, *Taiwan at the Crossroads: Human Rights, Political Development, and Social Change on the Beautiful Island* (Washington, D.C.: Asia Resource Center, 1988), Chapter 2; Sterling Seagrave, *The Soong Dynasty* (New York: Harper and Row, 1985); Richard C. Kagan, "Martial Law in Taiwan," *Bulletin of Concerned Asian Scholars*, 14:3 (July-September 1982), pp. 51-52.

8. See Douglas Mendel, *The Politics of Formosan Nationalism* (Berkeley: University of California, 1970).

study in the U.S.<sup>9</sup> They form the second largest group of foreign students in this country, after those from mainland China, with some 27,000 pursuing degrees in the U.S.<sup>10</sup>

As the number of students from Taiwan in the U.S. has increased, so have reports about acts of intimidation by KMT campus agents, and reprisals taken against the students by the Taiwan authorities based on the reports of those agents. For example, in 1964, a Taiwanese Ph.D. candidate at Rice University, George T. Chang, wrote an op-ed piece criticizing the lack of democracy in his homeland. The Taiwan regime, after learning of the article, cancelled his passport.<sup>11</sup>

Some students have returned to Taiwan to face "sedition" charges and long terms in prison. Chen Yu-shi, a student at the University of Hawaii's East-West Center in the 1960s, was said by campus agents to have participated in protests against U.S. military involvement in Indochina, to have "read materials by Mao Tse-tung," and to have submitted articles to a Japanese newspaper. In 1967, as a result of these reports on his exercise of his First Amendment rights, the Taiwan authorities refused to renew Chen's passport. He then went to Japan, but was deported back to Taiwan the following year (despite his well-founded fear of persecution). A court martial sentenced him to seven years in prison for "sedition."<sup>12</sup>

Similarly, Rita T. Yeh, while studying at the University of Minnesota in the mid-1970s, joined a Taiwanese student cultural group, despite warnings from campus KMT agents not to. When she did not heed these warnings, they subjected her to sexual harassment and in 1980, following her return to Taiwan, she was sentenced to 14 years in prison for "working and doing propaganda for the People's Republic of China."<sup>13</sup>

There have also been reports of surveillance, intimidation, verbal and physical harassment, and disruption of peaceful activities by KMT agents at MIT, and the Universities of California-Berkeley, Georgia, Oklahoma, Florida, Illinois, Michigan, Kansas, and Chicago, as well as at campuses of the State University of New York and Columbia, Iowa State, Cornell, Harvard, Princeton, Stanford, and Brandeis Universities.<sup>14</sup>

A classified 1978 study by the Senate Foreign Relations Committee staff (portions of which have been leaked to the press) revealed a network of as many as 25 full-time campus agents around the U.S. who received a salary and car; this did not include an even larger web of part-time informants and members of campus KMT cells.<sup>15</sup>

9. Jonathan Moore, "The New Word on Campus: Flexibility," *Far East Economic Review*, September 15, 1988, p. 70.

10. Data on numbers of Taiwanese students in the U.S. provided by the American Institute in Taiwan (the U.S. interests section in Taipei).

11. Personal communication from Chang.

12. "Taiwan Agents in America," *op. cit.*, n. 5, pp. 40, 43; Don Luce and Roger Rumpf, *Martial Law in Taiwan* (Washington, D.C. and New York: Asia Resource Center and Formosan Association for Human Rights, 1985), p. 23.

13. Luce and Rumpf, *ibid.*, p. 22; "Taiwan Agents in America," *op. cit.*, n. 5, pp. 15-16, 41, 43; personal communication from former students at University of Minnesota knowledgeable about the Yeh case.

14. Luce and Rumpf, *op. cit.*, n. 12, pp. 21-23; "The Murder of Henry Liu," *op. cit.*, n. 2, p. 132.

15. Luce and Rumpf, *op. cit.*, n. 12, p. 21; "Taiwan Agents in America," *op. cit.*, n. 5, pp. 8-19 (prepared statement of Congressperson Jim Leach, Rep.-Iowa).

Nor does this network limit its activities to university campuses. KMT agents have threatened to keep overseas Taiwanese who engage in legal and peaceful anti-KMT activities from obtaining permission to return home; even citizens must obtain visas to enter the island.<sup>16</sup>

There is also evidence that KMT agents in the U.S. engage in more traditional kinds of espionage activities. As Taiwan's diplomatic isolation has grown—culminating in U.S. "de-recognition" in favor of Peking in 1979—the government has worked to assure its access to arms supplies and technology. The Senate Committee staff report notes that in 1974, the FBI broke up a plan by KMT intelligence agents, working with Chinatown businessmen and gangsters in San Francisco, to smuggle torpedoes to Taiwan. There have also been numerous reports of Taiwan agents obtaining classified diplomatic and military reports from the U.S. government.<sup>17</sup>

### Impact of the Liu Murder

The Liu murder demonstrated that the Solarz amendment had little effect because the Reagan administration was unwilling to invoke it. Congressman Norman Y. Mineta (Dem.-Calif.), called for a cutoff of arms sales to Taiwan at a congressional inquiry into the killing. However when Deputy Assistant Secretary of State William Brown was testifying about what he called "an outrageous, heinous murder," the Reagan administration was selling the KMT regime tens of millions of dollars worth of arms.<sup>18</sup> And—as the Iran/contra scandal later showed—on February 6, 1985, the day before Brown's testimony, Oliver North and Robert McFarlane talked about the possibility of a KMT contribution to the Nicaraguan *contras*.<sup>19</sup>

Indeed, the administration seemed to view the Taiwan authorities' embarrassment over the Liu slaying primarily as a tool for strong-arming them on unrelated matters. Though the only clear evidence is the timing, it is hard to escape the conclusion that the Taiwan authorities gave \$2 million to the *contras* in the fall of 1985 because they felt pressured to restore good relations with the U.S.<sup>20</sup> It also is hard to believe it is merely coincidental that at about the same time, the Taiwan government finally bowed to U.S. pressure to revalue its currency. And, there is some indication that the Taiwan authorities played a role in late 1985 in revealing that a long-time CIA translator was a spy for the People's Republic of China (PRC).<sup>21</sup>

16. Luce and Rumpf, *op. cit.*, n. 12, pp. 21, 25; Cohen, p. 296.

17. *The Washington Post*, October 18, 1984 and January 24, 1985; on Taiwan's arms industry, see Robert Karniol, "New Arms for Old," *Far Eastern Economic Review*, July 30, 1987, p. 15.

18. "The Murder of Henry Liu," *op. cit.*, n. 2, pp. 12, 20; Luce and Rumpf, *op. cit.*, n. 12, p. 24.

19. *Report of the Congressional Committees Investigating the Iran/contra Affair* (Washington, D.C.: U.S. Government Printing Office, 1987), p. 45. Numerous press accounts have revealed that the country mentioned in the report as, "Country 3," is Taiwan.

20. *Ibid.*, pp. 44-45, 63.

21. On currency revaluation and its negative consequences for Taiwanese, see Cohen, *op. cit.*, n. 7, pp. 90, 95, 266; on the Chinese spy in the CIA, Larry Wu-tai Chin, and the possible Taiwan role, see *The Washington Post*, November 23, 1985 and September 5, 1986.

According to Michael Glennon, who participated in the 1978 Senate committee study, it is precisely because U.S. intelligence agencies cooperate with foreign intelligence services which harass and intimidate persons in the U.S. that administrations of both parties have done little to prevent these practices. The agents' activities violate civil rights and, in virtually all instances, laws on foreign agents registration. Glennon suggests that putting the burden on the Executive to demonstrate that a government is *not* engaging in intimidation and harassment before any arms sales could occur would offer a greater deterrent.<sup>22</sup>

However, in 1981, Solarz was unable to get this more stringent approach passed,<sup>23</sup> and subsequent experience with Presidential certifications of El Salvador's human rights progress casts doubts on the value of such a process.

#### KMT Agents' Activities Since the Liu Murder

The Reagan administration's cavalier attitude meant continuing free rein for KMT agents operating in the U.S. In September 1985, while visiting Taiwan, KMT authorities arrested Ms. Lee Ya-ping, the publisher of a Los Angeles-based Chinese language newspaper, for allegedly running articles favorable to the PRC.<sup>24</sup> Surprisingly, the U.S. State Department called this KMT effort to repeal the First Amendment "an act of intimidation and harassment against a person in the United States." The clear threat to suspend arms sales led to Lee's release into the "protective guidance" of her family.<sup>25</sup>

Unfortunately, the Reagan administration was not willing in any other instance to use its leverage to protect civil liberties in the U.S. from KMT interference or to protest human rights abuses in Taiwan. There is considerable speculation that the State Department acted so swiftly in Lee's case because she is a member of a KMT faction that has had considerable contact with the PRC, and the Peking authorities appealed on her behalf.<sup>26</sup>

Moreover, even this uncharacteristically sharp U.S. response failed to deter further activities by KMT agents:

In 1983, two Taiwanese students who had studied at North Carolina State University were convicted under an obscure "false advertising" statute for putting up posters alleging that another student was a KMT spy. One of the pair, Kuo Peihung, also had his Taiwan passport suspended. Kuo, an outspoken critic of the KMT, was himself, by his own admission, a former campus spy and KMT youth leader.

Three years later, a North Carolina state employee received a report from a KMT agent on the campus, accusing several students of working with Kuo on an anti-KMT newspaper. The report had been sent to an incorrect address in New York, with the state employee's return address on it. The

22. "The Murder of Henry Liu," *op. cit.*, n. 2, pp. 84-88 (prepared statement of Glennon).

23. "Taiwan Agents in America," *op. cit.*, n. 5, p. 53.

24. Much of the material in this section is based on accounts the author has received from people involved in, or with reliable direct knowledge of, the circumstances. For obvious reasons, they have asked me not to reveal their identities.

25. *Taiwan Communique*, No. 22, October 28, 1985, pp. 10-12.

26. *Ibid.*; Cohen, *op. cit.*, n. 7, p. 266.

author of the report admitted writing it, but denied that he was a KMT agent. However, he could not explain why he was sending information on Taiwanese students to a "friend in New York." According to Kuo, who said that the other students did not work on his newspaper, the alleged agent was trying to fill an information quota.<sup>27</sup>

In March 1985, Taiwanese-American churches held a consultation in California with representatives of U.S. denominations and the Taiwanese Presbyterian Church, which has often challenged the KMT's authoritarian practices. One pastor, upon returning home, found that a member of his congregation was extremely inquisitive about his trip. Upon pressing the church member to explain this curiosity, the minister learned that this member of his flock was in fact a KMT spy charged with keeping tabs on his activities.

In 1987, Annette Lu, a former political prisoner from Taiwan then living in Boston, attended a number of overseas



Credit: Asia Resource Center

**Professor Wen-chen just prior to his mysterious death.**

Taiwanese and Amnesty International gatherings in Europe. A person identifying himself as an agent of the Investigation Bureau of the Ministry of Justice (Taiwan's FBI) suggested to Lu's relatives in Taiwan that she should not undertake this trip. Although the trip occurred without incident after protests from the U.S. and Europe, KMT agents in the U.S. never-the-less sent information about Lu's travels to Taipei.

In 1987, KMT agents told officials at an Oklahoma university that Huang Hsin-chieh, a former Taiwanese political prisoner scheduled to give a talk at the university, was a "terrorist." Huang had to move his talk from the campus to a church, though a university spokesperson insisted that this was only because the speech had not been arranged through the proper channels.

27. "N.C. State Students From Taiwan Harassed and Have Death Threats," *The NC Landmark Limited*, January 27-February 2, 1983; *The [NC State] Technician* April 25, 1986; edited translation of an interview with Kuo appearing in *Freedom Era* (Taipei, 1988 or 1989?). Kuo later became President of the U.S. Chapter of World United Formosans for Independence, an anti-KMT group. Although still "blacklisted" from going back to Taiwan (despite his continuing Taiwan citizenship), Kuo secretly entered Taiwan and staged a political rally last year. See *Taiwan Communique*, No. 43, January 1990, pp. 4-5.

In the first instance of the U.S. government arresting an alleged Taiwan agent, it was announced in February 1988 that Douglas S. Tsou, a translator working in the Houston field office of the FBI, had been charged with passing "counterespionage" documents to the Houston branch of Taiwan's unofficial U.S. "interests section."<sup>28</sup>

Also in the late 1980s, a graduate student from Taiwan informed a Taiwanese-American professor, who is a well-known critic of the Taiwan authorities, that the KMT had assigned the student to monitor the professor's political activities. In retaliation for this confession, the Taipei government cancelled the student's passport, and his relatives in Taiwan warned him he would face imprisonment if he returned home.

In September 1989, the Taiwan authorities arrested Hsu Hsin-liang, a one-time opposition leader whom they had barred from returning home for over a decade, as he attempted to sneak onto the island *via* a fishing boat. The authorities charged him with "sedition," the indictment made detailed reference to Hsu's writings while in the United States, some of which called for the overthrow of the KMT regime. However, the KMT was unable to present any evidence to support these charges.

On October 20, the U.S. State Department issued a statement expressing "concern" that Hsu was being prosecuted for exercising his First Amendment rights and called the "monitoring of political expression in the United States by foreign security forces" a "disturbing issue." Unfortunately, this statement was much weaker than that issued in response to Lee Ya-ping's arrest. Hsu received a 10-year prison sentence (with three years and four months suspended) on December 23 of last year.<sup>29</sup>

On January 23, 1990, a federal grand jury indicted TRT International, of Ashland, Massachusetts, and three individuals for conspiracy and illegal exports of missile guidance parts to Taiwan. Rudy Yu-jen Tsai, a company Vice President, David Rosen, a former TRT officer, and Tommy Tsai, of Framingham, Massachusetts, were charged with buying parts used in the guidance systems of Sidewinder air-to-air missiles and Maverick air-to-surface missiles and exporting them to Taiwan without State Department approval. The exact relationship of TRT to the Taiwan government is not known but money must certainly have been a motivating factor if the allegations in the indictment are true. Nevertheless, this incident bears a suspicious resemblance to the 1974 torpedoes scam.<sup>30</sup>

## Conclusion

U.S. policy-makers have failed to enforce the laws and im-

**U.S. policy-makers have failed to enforce the laws and impose sanctions on Taiwan for the activities of its agents in this country.**

pose sanctions on Taiwan for the activities of its agents in this country because these officials regard other aspects of the U.S.-Taiwan relationship as more important than the civil rights and liberties of people in the United States. Despite this depressing conclusion, there have been a number of positive developments.

First, a U.S. Court of Appeals overturned a District Judge's decision dismissing a lawsuit by

Henry Liu's widow against the Taiwan authorities. The lower court ruled that under the "act of state" doctrine, it was bound to accept the Taiwan courts' finding that Admiral Wang and the others had not acted on behalf of their government. The appellate panel argued that Admiral Wang's actions were taken within the scope of his official duties, and ordered the District Court to hear the suit on its merits.<sup>31</sup>

Litigation has numerous limitations as a means of deterring the kinds of activities the KMT agents have engaged in and the Liu case judge is undoubtedly not the only one who will be reluctant to take on "friendly governments." Nevertheless, the appeals court decision, if upheld, may well be another landmark application of international human rights standards to U.S. domestic laws like *Filartiga v. Pena Irala*.<sup>32</sup>

Also, since 1986, Taiwanese on the island have joined their brethren in Korea and the Philippines in demonstrating that "people power" can challenge an authoritarian regime. Frequent mass protests, involving people from all walks of life, have won a more open society and greater government respect for political rights, although the people of Taiwan still do not enjoy a democratic form of government.<sup>33</sup>

Overseas Taiwanese, too, are fighting repression by refusing to let KMT agents intimidate them. Taiwanese students around the U.S. are becoming increasingly bold in their willingness to discuss political developments at home, as well as in China. Most impressively, overseas Taiwanese have begun fighting the "blacklist" by simply finding surreptitious ways to get back to Taiwan.<sup>34</sup> While this latter strategy is of course not without risks, as Hsu Hsin-liang discovered, the stepped up resistance by Taiwanese, at home and abroad, to KMT police state methods is ultimately the most promising antidote to the Taiwan government spy network in the United States. ●

31. *The New York Times*, December 31, 1989.

32. In that case, a federal court ruled that a Paraguayan torture victim could sue his torturer under an 18th century statute because they were both in the U.S. at the time; *Filartiga v. Pena Irala*, 630 F.2d 876 (1980).

33. See Cohen, *op. cit.* n. 7, for details of political changes in Taiwan. It should be noted that the KMT continues to claim it is the legitimate government of China, and maintains seats in the parliament representing the mainland. These are filled by persons elected there in 1947, and account for some 80% of the total. Thus, even if the opposition won all of the elected "Taiwan area seats," the KMT would continue to control a substantial majority in the legislature. The Nationalists say they will hold a general election once they have "recovered the mainland from the Communist bandits."

34. *Taiwan Communique* No. 35, September 1988, pp. 14-18; No. 41, September 1989, pp. 12-13; No. 42, November 1989, pp. 14, 17-19; No. 43, pp. 19-21.

28. *The Washington Post*, February 10, 1988.

29. *Taiwan Communique*, No. 43, pp. 20-21; U.S. Department of State, Bureau of East Asian and Pacific Affairs Press Guidance, October 20, 1989.

30. Associated Press report of January 23, 1990.

## Domestic Surveillance:

# The History of Operation CHAOS

by Verne Lyon\*

For over fifteen years, the CIA, with assistance from numerous government agencies, conducted a massive illegal domestic covert operation called Operation CHAOS. It was one of the largest and most pervasive domestic surveillance programs in the history of this country. Throughout the duration of CHAOS, the CIA spied on thousands of U.S. citizens. The CIA went to great lengths to conceal this operation from the public while every president from Eisenhower to Nixon exploited CHAOS for his own political ends.

One can trace the beginnings of Operation CHAOS to 1959 when Eisenhower used the CIA to "sound out" the exiles who were fleeing Cuba after the triumph of Fidel Castro's revolution. Most were wealthy educated professionals looking for a sympathetic ear in the United States. The CIA sought contacts in the exile community and began to recruit many of them for future use against Castro. This U.S.-based recruiting operation was arguably illegal, although Eisenhower forced FBI Director J. Edgar Hoover to accept it as a legitimate CIA function. Congress and the public showed no interest in who was recruiting whom.

The CIA's Office of Security was monitoring other groups at this time and had recruited agents within different émigré organizations.<sup>1</sup> The CIA considered this a normal extension of its authorized infiltration of dissident groups abroad even though the activity was taking place within the U.S. Increased use of the CIA's contacts and agents among the Cuban exiles became commonplace until mass, open recruitment of mercenaries for what was to be the ill-fated Bay of Pigs invasion was no longer a secret in southern Florida. It was no secret to Fidel Castro either, as we later found out.

This activity led the CIA to establish proprietary companies, fronts, and covers for its domestic operations. So widespread did they become that President Johnson allowed the then CIA Director, John McCone, to create in 1964 a new super-secret branch called the Domestic Operations Division (DOD), the very title of which mocked the explicit intent of Congress to prohibit CIA operations inside the U.S.<sup>2</sup> This disdain for Congress permeated the upper echelons of the CIA. Congress could not hinder or regulate something it did not know about, and neither the President nor the Director of the CIA was about to tell them. Neither was J. Edgar Hoover, even though he was generally aware that the CIA was moving in on what was supposed to be exclusive FBI turf.<sup>3</sup>

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1. Robert L. Borosage and John Marks, eds., *The CIA File* (New York: Grossman, 1976), p. 97.

2. Morton H. Halperin, et al., eds., *The Lawless State* (New York: Penguin, 1976), p. 138.

3. *Ibid.*

In the classified document creating the DOD, the scope of its activities were to "exercise centralized responsibility for the direction, support, and coordination of clandestine operational activities within the United States...." One of those was burglarizing foreign diplomatic sites at the request of the National Security Agency (NSA). The CIA also expanded the role of its "quasi-legal" Domestic Contact Service (DCS), an operation designed to brief and debrief selected American citizens who had traveled abroad in sensitive areas of intelligence interest. Because the interviews took place in airports between the aircraft and customs and immigration control, the operations were not technically considered domestic. The DCS also helped with travel control by monitoring the arrivals and departures of U.S. nationals and foreigners. In addition, the CIA reached out to former agents, officers, contacts, and friends to help it run its many fronts, covers, and phony corporations. This "old boy network" provided the CIA with trusted people to carry out its illegal domestic activities.

### The Justification

With the DCS, the DOD, the old boy network, and the CIA Office of Security operating without congressional oversight or public knowledge, all that was needed to bring it together was a perceived threat to the national security and a presidential directive unleashing the dogs. That happened in 1965 when President Johnson instructed McCone to provide an independent analysis of the growing problem of student protest against the war in Vietnam. Prior to this, Johnson had to rely on information provided by the FBI, intelligence that he perceived to be slanted by Hoover's personal views, which often ignored the facts. Because Hoover insisted that international communism was manipulating student protest, Johnson ordered the CIA to confirm or deny his allegations. All the pieces now came together.

To achieve the intelligence being asked for by the President, the CIA's Office of Security, the Counter-Intelligence division, and the newly created DOD turned to the old boy network for help. Many were old Office of Strategic Services people who had achieved positions of prominence in the business, labor, banking, and academic communities. In the academic arena, the CIA sought their own set of "eyes and ears" on many major college and university campuses. The FBI was already actively collecting domestic intelligence in the same academic settings.<sup>4</sup> The difference between the intelligence being gathered was like night and day. The FBI Special Agents and their informers were looking for information that would prove Hoover's theory. The CIA wanted to be more objective.

4. *Organizing Notes*, April 1982 (Vol. 6, No. 3), p. 6.

In April 1965, Johnson appointed Vice-Admiral William Raborn CIA Director (DCI, or Director of Central Intelligence) and Richard Helms Deputy Director. Since Raborn's days at the helm of the CIA seemed numbered from the outset, he never really became involved in the nuts and bolts of domestic operations; that was left to Helms, a career intelligence officer who had come up through the ranks—he had been Deputy Director for Plans (DDP) since 1962 and Deputy DCI from 1965-66—and who could be trusted. Helms became DCI in June 1966. As Deputy Director, he had allowed the CIA slowly to expand its domestic intelligence operations and understood his orders from President Johnson were to collect intelligence on college and university campuses with no governing guidelines other than "don't get caught." Helms now had a free hand to implement Johnson's orders and, by August 1967, the illegal collection of domestic intelligence had become so large and widespread that he was forced to create a Special Operations Group (SOG). The SOG was imbedded in the DDP's counterintelligence division and provided, data on the U.S. peace movement to the Office of Current Intelligence on a regular basis.<sup>5</sup>

As campus antiwar protest activity spread across the nation, the CIA reacted by implementing two new domestic operations. The first, Project RESISTANCE, was designed to provide security to CIA recruiters on college campuses.<sup>6</sup> Under this program, the CIA sought active cooperation from college administrators, campus security, and local police to help identify antiwar activists, political dissidents, and "radicals." Eventually information was provided to all government recruiters on college campuses and directly to the super-secret DOD on thousands of students and dozens of groups. The CIA's Office of Security also created Project MERRIMAC, to provide warnings about demonstrations being carried out<sup>7</sup> against CIA facilities or personnel in the Washington area.

Under both Projects, the CIA infiltrated agents into domestic groups of all types and activities. It used its contacts with local police departments and their intelligence units to pick up its "police skills" and began in earnest to pull off burglaries, illegal entries, use of explosives, criminal frame-ups, shared interrogations, and disinformation. CIA teams purchased sophisticated equipment for many starved police departments and in return got to see arrest records, suspect lists, and intelligence reports. Many large police departments, in conjunction with the CIA, carried out illegal, warrantless searches of private properties, to provide intelligence for a report requested by President Johnson and later entitled "Restless Youth."<sup>8</sup>

SOG was being directed by Richard Ober, a CIA person with an established record of domestic intelligence operations in academia.<sup>9</sup> When *Ramparts* magazine disclosed the relationship between the National Student Association and the

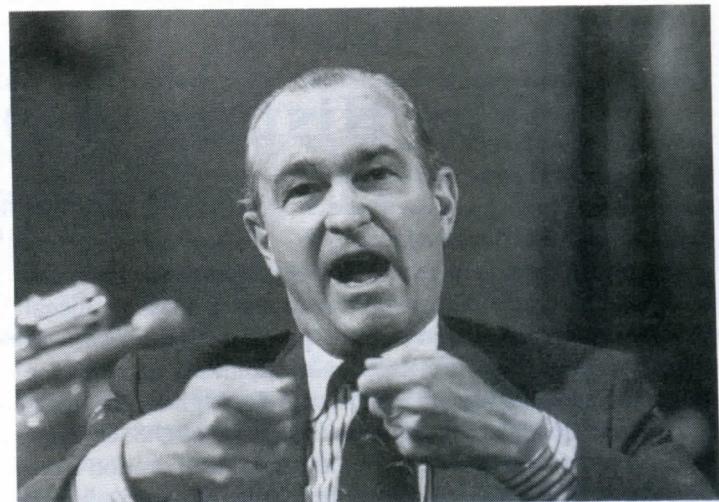
5. Thomas Powers, *The Man Who Kept the Secrets* (New York: Knopf, 1979), p. 246.

6. *Op. cit.*, n. 2, p. 145.

7. *Ibid.*, p.146.

8. *Op. cit.*, n. 5, p. 245.

9. *Op. cit.*, n. 2, pp. 148-49.



Credit: Associated Press

**Richard Helms, as Director of Central Intelligence, developed CHAOS into a massive surveillance operation.**

CIA in early 1967, Ober was assigned to investigate the magazine's staff members, their friends, and possible connections with foreign intelligence agencies.<sup>10</sup>

In July 1968, Helms decided to consolidate all CIA domestic intelligence operations under one program and title. The new operation was called CHAOS and Ober was in charge.<sup>11</sup> Its activities greatly expanded from then on—at the urging not only of President Johnson, but also his main advisers Dean Rusk and Walt Rostow. Both men were convinced that Hoover was right and foreign intelligence agencies were involved in antiwar protests in the U.S. Johnson was not convinced and wanted the CIA's intelligence in order to compare it with that provided by the FBI.

#### The Nixon Administration

After Richard Nixon took office in January 1969, Helms continued operations with the assurance that nothing would ever be leaked to the public. But he began to face pressure from two opposing factions within the CIA community. One wanted to expand domestic operations even more, while the other reminded him that Operation CHAOS and similar activities were well "over the line" of illegality and outside the CIA's charter. To put a damper on this internal dissent, Helms ordered Ober to stop discussing these activities with his direct boss in counterintelligence, James Jesus Angleton. The internal protests continued, however, as White House aide and staunch anti-communist Tom Charles Huston, pressed for ever increasing domestic operations.

Huston was eager to expand Operation CHAOS to include overseas agents and to "share" intelligence with the FBI's intelligence division, directed by William Sullivan. There were more than 50 CHAOS agents now, many receiving several weeks of assignment and training in overseas positions to establish their covers as radicals.<sup>12</sup> Once they returned to the

10. *Ibid.*, p. 148.

11. *Ibid.*

12. *Op. cit.*, n. 2, p. 150.

U.S. and enrolled in colleges and universities, they had the proper "credentials."

In June 1970 Nixon met with Hoover, Helms, NSA Director Admiral Noel Gaylor, and Defense Intelligence Agency (DIA) representative Lt. Gen. Donald V. Bennett and told them he wanted a coordinated and concentrated effort against domestic dissenters. To do that, he was creating the Inter-agency Committee on Intelligence (ICI), chaired by Hoover. The first ICI report, in late June, recommended new efforts in "black bag operations," wiretapping, and a mail-opening program. In late July 1970, Huston told the members of the ICI that their recommendations had been accepted by the White House.<sup>13</sup>

John Dean replaced Tom Huston as White House aide in charge of domestic intelligence, and at his urging, a Justice Department group, the Intelligence Evaluation Committee,

13. *Op. cit.*, n. 5, p. 248.

was established to study domestic groups, over Hoover's protest. Deteriorating relations between the FBI and the other intelligence agencies, especially the CIA, caused Hoover to fire William Sullivan. At that time, Sullivan was the liaison officer between the FBI and the other intelligence agencies and he strongly favored the expansion of domestic operations.

### Second Thoughts

Even Helms began to have second thoughts about how large CHAOS had grown, but Nixon made it clear to him that the CIA was a presidential tool he wanted at his disposal. Helms got the message, yet he also understood the growing uneasiness in other government circles. In 1972, the CIA's Inspector General wrote a report that expressed concern about Operation CHAOS in the following way; "...we also encountered general concern over what appeared to be a monitoring of the political views and activities of Americans not known to be or suspected of being involved in espionage.... Stations

## Campus Surveillance

The unleashing of the CIA and my concerns about the escalating war in Southeast Asia crossed paths on the Iowa State University campus in the fall of 1965. I do not know why I was chosen for recruitment, or by whom; only the CIA's old boy network on campus knows what criteria were used, what psychological profile was followed, and what future need of the CIA went into the initial selection process.

There were no posters, no ads in local or campus newspapers, nor any notice in the college placement office. The CIA came purporting to be representatives of legitimate business concerns that would normally conduct job interviews on campus. The only advance notice of the "interview" was a letter on what appeared to be real company letterhead saying that such-and-such company was interested in offering you a job. Only after accepting the interview and signing several documents stating you would never reveal anything about the exclusive job offer being made would the interviewers tell you whom they really represented. By then you were trapped into eternal secrecy even if you declined their offer. You could not even approach the university's administration or placement office to complain about the deception.

For the student or faculty member who accepted the CIA's offer to spy, the payments offered were tailored to the individual. In some cases it was only money; in others it may have been a guaranteed draft deferment, research assistance grants, a future career with the CIA, patriotism, duty, or any combination. Short on money, plus wanting to serve my country without being sent to stop a bullet in a rice paddy halfway around the world, I listened intently to their pitch. I was hooked with an offer of an undeclared \$300 cash in an envelope each month plus a guaranteed draft deferment and an offer of a bright future with the Company.

In exchange, I was asked to do several things while

admonished to maintain absolute secrecy about my intelligence gathering activities, the CIA, and any working relationship between us. I was persuaded to believe that the nation was facing a major crisis because of the student unrest and ensuing protests and that even though such activities were permitted in our "free" country, we should not allow foreigners and/or communists to pull the strings if they were involved.

My campus missions included monitoring selected students; obtaining printed materials from student protest groups, including membership and donor lists and programs of planned actions and protests; gathering information on the private sexual activities of selected students or faculty, and on the student visa status of selected foreign students; and learning the identities of visiting "travelling agitators" from other colleges and universities.

Ethnic and racial groups were watched as well as student radical movements. No guidelines were given that differentiated between what was legitimate protest and what constituted a perceived threat to national security. This allowed the CIA to expand its domestic surveillance to cover draft resistance organizations, military deserters, non-mainstream newspapers and publications, most Black militant groups, and U.S. citizens travelling abroad. Most domestic political activity was also covered if it showed any sign of differing from the "American tradition."

My entire senior year found me caught up in this illegal domestic covert operation. It changed my personality, my political point of view, and my way of thinking about the structure and role of the different branches of our federal government, and it taught me to what lengths the government would go to hide illegal wrongdoings under the cloak of national security.

were asked to report on the whereabouts and activities of prominent persons...whose comings and goings were not only in the public domain, but for whom allegations of subversion seemed sufficiently nebulous to raise renewed doubts as to the nature and legitimacy of the CHAOS program."<sup>14</sup>

Helms was being squeezed by White House demands to expand Operation CHAOS and the fear that the whole question of domestic operations was going to become public knowledge, as Hoover feared. Helms found himself constantly shoring up one lie with another and then another. He found himself deceiving Congress and lying to the public as well as CIA employees. In March 1971, a group of young CIA executives known as the Management Advisory Group (MAG) protested Operation CHAOS and similar domestic operations by issuing a statement saying, "MAG opposes any Agency activity which could be construed as targeted against any person who enjoys the protection of the U.S. Constitution...whether or not he resides in the United States."<sup>15</sup>

Helms of course denied the CIA was involved in domestic operations, or using basic American institutions such as the Peace Corps, the business community, or the media as covers for CIA operations. Just a few years later, Oswald Johnston of the *Washington Star* reported that over 35 American journalists, some full-time, some free-lance, and some major media correspondents were on the CIA payroll. And in 1974 the CIA admitted that over two hundred CIA agents were operating overseas posing as businessmen.<sup>16</sup>

### The Collapse of the House of Cards

The web of deception, misinformation, lies, and illegal domestic activities began to unravel with speed in the summer of 1972 when Howard Osborn, then Chief of Security for the CIA, informed Helms that two former CIA officers, E. Howard Hunt and James McCord, were involved in a burglary at the Watergate complex in Washington, D.C. The house of cards was about to come crashing down and Helms now wanted to salvage what he could and distance himself from not only Watergate but also the domestic operations. He appointed CIA Executive Director William Colby to handle any investigations into the Agency's domestic operations and began to prepare for the inevitable.

Helms was called to Camp David by President Nixon and subsequently fired. His replacement was James Schlesinger (who would last but a few months). Schlesinger would be replaced in July 1973 by Colby, and Helms would become U.S. Ambassador to Iran to get him as far away as possible. In an effort at damage control, Colby decided that Operation CHAOS and Project RESISTANCE should be terminated.

In 1975 the CIA underwent public investigation and scrutiny by both the Church and Rockefeller committees. These investigations revealed considerable evidence showing that the CIA had carried out its activities with a tremendous disregard for the law, both in the U.S. and abroad.

14. *Op. cit.*, n. 2, p. 153.

15. Center for National Security Studies report, *Operation Chaos* (Washington, D.C.: 1979), p.11.

16. *Op. cit.*, n. 1, pp. 101-02, 106.

During the life of Operation CHAOS, the CIA had compiled personality files on over 13,000 individuals—including more than 7,000 U.S. citizens—as well as files on over 1,000 domestic groups.<sup>17</sup>

The CIA had shared information on more than 300,000 persons with different law enforcement agencies including the DIA and FBI. It had spied on, burglarized, intimidated, misinformed, lied to, deceived, and carried out criminal acts against thousands of citizens of the United States. It had placed itself above the law, above the Constitution, and in contempt of international diplomacy and the United States Congress. It had violated its charter and had contributed either directly or indirectly to the resignation of a President of the United States. It had tainted itself beyond hope.

Of all this, the CIA's blatant contempt for the rights of individuals was the worst. This record of deceit and illegality, implored Congress as well as the President to take extreme measures to control the Agency's activities. However, except for a few cosmetic changes made for public consumption—such as the Congressional intelligence oversight committee—nothing has been done to control the CIA. In fact, subsequent administrations have chosen to use the CIA for domestic operations as well. These renewed domestic operations began with Gerald Ford, were briefly limited by Jimmy Carter, and then extended dramatically by Ronald Reagan.

Any hope of curbing these illegal activities is scant. Recently, George Bush and current DCI William Webster announced for a the need to again target political enemies of the U.S. for assassination. It is ironic that Webster, a former Federal Judge, would chose to ignore the limits and constraints placed on the government by the Constitution. During his tenure as Director of the FBI, the bureau was once again involved in the infiltration of groups practicing their constitutional right to dissent against U.S. government policies. Once again, the FBI compiled thousands of files on individuals protesting Reagan's war against Nicaragua and support for the genocidal Salvadoran military. Now, Webster is in a position of perhaps even greater power and, without doubt, would have no qualms about abusing it.

### Conclusion

Given the power granted to the office of the presidency and the unaccountability of the intelligence agencies, widespread illegal domestic operations are certain. We as a people should remember history and not repeat it. It is therefore essential that the CIA be reorganized and stripped of its covert operations capability. Effective congressional oversight is also an important condition for ending the misuse of the intelligence apparatus that has plagued every U.S. administration since the formation of the CIA.

A great deal is at risk—our personal freedoms as well as the viability of this society. The CIA must be put in its place. Should we demand or allow anything less, we will remain vulnerable to these abuses and face the risk of decaying into a lawless state destined to self-destruction

17. *Op. cit.*, n. 2, p. 153.

## de Klerk's Inheritance:

# South African Death Squads

Late last year former security policeman Butana Almond Nofamela, who was sentenced to death for the murder of a farmer, believed that speaking about his involvement with South African death squads might save him from execution.

His former police colleagues tried to persuade Nofamela to remain silent, but in November 1989 he decided to talk. Nofamela said he had committed numerous murders at the behest of his police commanders, the most infamous being the 1981 assassination of well-known African National Congress (ANC) lawyer, Griffiths Mxenge. He told his lawyer and a commission of inquiry, in graphic detail, how Mxenge was kidnapped and then stabbed to death.<sup>1</sup>

The disclosures by Nofamela have dispelled any doubts that certain killings in South Africa were the responsibility of independent far right-wingers in the security apparatus—in fact death squads have now been shown to be a direct part of that apparatus.

Nofamela's death row revelations were followed by those of his immediate superior officer, Captain Johannes Dirk Coetze, and another colleague, David "Spyker" Tshikalanga. After Nofamela's confessions both men fled the country and told their stories to the Afrikaans language newspaper *Vrye Weekblad*.

Later Coetze did the unthinkable for an Afrikaaner security policeman—he joined the ANC liberation movement—the prime enemy and target of the hit squads. He was followed by his colleague, "Spyker" Tshikalanga and 12 other members of the death squads.

Though Almond Nofamela implicated 17 policemen, the squad which he and Captain Coetze described was only one of many. Coetze participated in the hit squad for 15 years, convinced that the murders the group committed would never be proven. "Once you have been pulled into the spider's web, it is difficult to get out, especially when it does its executions so cleanly that it leaves no evidence," he said.<sup>2</sup>

"The responsibility for the death squads goes right to the top," Coetze said.<sup>3</sup> In an affidavit presented to a government inquiry into the hit squad allegations, Coetze named all past and present members of the State Security Council as co-conspirators. The State Security Council was the power behind the cabinet until the accession of F.W. de Klerk to the Presidency.<sup>4</sup>

In particular, he named the former Law and Order Minister Louis Le Grange, now speaker of parliament, and

General Johan Coetze (no relation), the former chief of police, now retired, as the relevant authorities during the time he was most active.

Coetze also maintains that in 1982, South African government officials carried out the bombing of the ANC office in London, using a device smuggled into Britain through the diplomatic pouch.<sup>5</sup>

The existence of death squads such as those described by Coetze should not have been such a surprise. Late last year Mervyn Malan, a defector from the South African Defense Force (SADF), who said that he was a family relation of Defense Minister, General Magnus Malan, claimed the SADF was involved in attacks on anti-apartheid activists inside and outside South Africa.<sup>6</sup>

Malan also said, in an interview with the Dutch Anti-Apartheid Movement in December 1989, that an official in the British Home Affairs Ministry had provided South African soldiers with British passports.

From 1983 to 1985 Mervyn Malan was the leader of a special unit in the South African Army, known as the "special forces reconnaissance command." He said he took part in actions against SWAPO in Namibia and Angola and that special units of the South African Army, dressed as civilians, conducted attacks on activists in South Africa's black townships.

Outside South African borders the army was involved in kidnapping and assassinating exiled ANC members. Commanders of these special units were trained in Israel, Malan said.

The death squads used several different methods in their assassination attempts. Almond Nofamela described how knives, poison, bombs, bullets and kidnapping were used in the secret war against anti-apartheid activists.

Parcel bombs were sent in the front-line states of Mozambique, Botswana, Zimbabwe, Zambia and Angola. In Swaziland and in Mozambique, death squads have kidnapped and shot people, while in Lesotho their methods included the use of parcel bombs, raids, and individual assassinations.<sup>8</sup>

Last year Reverend Frank Chikane, General Secretary of the South African Council of Churches, claimed that there had been an attempt to poison him by contaminating his clothing. Shortly thereafter, members of a military hit squad admitted trying to tamper with his luggage.<sup>9</sup> The newspaper *Vrye*

5. *Op. cit.*, n. 3.

6. *New Nation*, December 1, 1989; *Weekly Mail*, December 1, 1989.

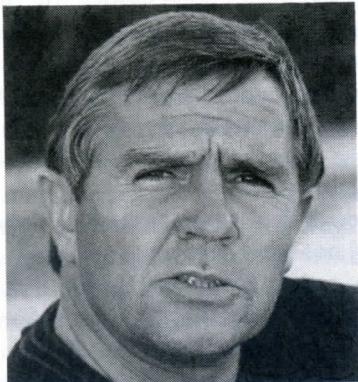
7. *Op. cit.*, n. 1.

8. For the Zimbabwe cases see (London) *Times*, June 10, 1989. For the Lesotho hit-squads see *Sunday Star*, September 14, 1986.

9. *South*, June 15, 1989; (London) *Guardian*, August 30, 1989; *The Citizen*, March 6, 1990.

*Weekblad* claimed that the poison had been prepared by the head of the police forensic department. The newspaper then had to contest a legal claim for 1 million Rand in damages.<sup>10</sup>

Evidence has been presented on plans to replace the heart pills of Nelson Mandela's lawyer with tablets designed to induce a heart attack. Operation *Apie* (Afrikaans for ape) planned to send a baboon fetus to Archbishop Desmond M. Tutu.<sup>11</sup>



Credit: Associated Press

Johannes Dirk Coetze, former death squad commander.

#### Development of the Hit Squads

Death squad assassinations have a long history in South Africa—anti-apartheid academic Richard Turner was shot in 1978—but they reached their peak during the 1984-87 rebellion which brought the state of emergency and put troops into the black townships for the first time.

The rise of the hit squads coincided with the development of an alliance between former President P.W. Botha and the South African military. It was based on the so-called “Total Onslaught” philosophy.<sup>12</sup>

According to this doctrine, developed in the mid 1970s, the security forces should develop a “total response” to counter the “total onslaught” by the forces of the ANC and the South African Communist Party (SACP).

In March 1987, Major General Charles Lloyd, chairman of the State Security Council, spoke of the need to “eliminate the revolutionaries” in the townships. The ranks of the “enemy” were small, he said, and had to be identified specifically. The security forces should not eliminate non-revolutionary members of the community “by accident.”<sup>13</sup>

While speaking at the Pretoria University Institute for Strategic Studies in 1988, General Malan justified the covert campaign by saying that, “unconventional methods” were needed to achieve South Africa’s aims. “Like others we do not talk about them,” he added.

During the rebellion of 1984-87 the South African military

10. *Star*, December 19, 1989.

11. John Burns, “Cape Town Death-Squad Inquiry Opens, *New York Times*, March 6, 1990.

12. Gavin Cawthra, *Brutal Force: The Apartheid War Machine* (London: International Defence and Aid Fund, 1986).

13. *SouthScan*, January 13, 1988.

and police began to work in total cooperation. Joint Management Committees were set up in every township and rural community. These local committees reported to a regional committee, which in turn reported to the National Security Management System (NSMS). The committees and the NSMS coordinated all aspects of the civil administration. The NSMS was controlled by the State Security Council. From this dominant position the State Security Council could completely regulate the civilian administrations. Under the auspices of the Joint Management Committees, troops were brought in to police the townships.<sup>14</sup>

#### Police Squads

The Coetze police squad was directly linked to Security Branch C1 operating out of COMPOL, the police headquarters in Pretoria. Its operations followed a clear pattern of political direction, specifically targeting political or trade union activists.

The Commissioner of Police was the responsible senior official of Coetze’s squad operations, and his superior was the Minister of Law and Order, who sat on the State Security Council and in the Cabinet.

The police squads were based in Pretoria, Cape Town, East London, Durban, Piet Retief (a town used as a base for incursions into Swaziland), at the Electricity Supply Commission (Eskom) station near Milman,<sup>15</sup> and near Kuruman, at a farm called Vlakplaas and at another one called Daisy.

From Vlakplaas, East London, and Cape Town, the death squads used ANC defectors in the guerrilla war. The police found that as the guerrilla war intensified in the early 1980s, they were able to turn some of the ANC’s cadres and began seeking a role for them. The “Askaris” (guerrilla defectors) also worked with a “terrorism detection unit” in Cape Town.

The police squads also had dealings with foreign agents. State Security Council member, Craig Williamson acted as liaison between the foreign agents and the death squads. In the 1970s Williamson infiltrated the International University Exchange Fund, which had close links with the anti-apartheid liberation movement. He is now seeking to build an image in South Africa as a reform-minded politician, and his connection with the police squads is proving an embarrassment.

According to evidence from an internal South African Police Departmental inquiry, conducted in 1985, Williamson and Dirk Coetze had a “close relationship.” Williamson spoke of a “close rapport” between them.<sup>16</sup>

#### Military Squads

The military death squads came under the command of the CCB (Civil Cooperation Bureau). The CCB charter defined its hit squads—in operation since April 1986—as a covert unit independent of existing state intelligence and covert structures, charged with gathering intelligence and acting against

14. *SouthScan*, Vol. 1/2, September 23, 1986.

15. Sites such as this were designated strategic points in the National Security Management System.

16. The inquiry indicted Coetze for illicit foreign currency dealings, a charge which he has subsequently admitted. *Op. cit.*, n. 2.

"aggressors."<sup>17</sup> This ultra-secret group within the SADF operated both inside South Africa and across its borders.

Chief of the SADF, General Jannie Geldenhuys, informed a government inquiry that the unit's annual budget was 28 million Rand last year. Added to this were subsidized cars, houses, medical allowances, and logistical support from other military structures. The CCB had also established a network of front companies to provide cover and to launder money necessary for operations.<sup>18</sup>

The unit's organizers opted to recruit extensively among ex-policemen from the Brixton Murder and Robbery squad, a unit with a reputation of brutal policing and with an established network of informers and agents throughout southern Africa.

The military also found they had a sudden addition to their Reconnaissance ("Recce") squads of former Rhodesian special forces men—local and foreign mercenaries. These men provided the military with the means and the extra expertise to take the war to the enemy.

There were also strong indications that some of the hit squad personnel involved in the Rhodesian war had connections with Israel, which has specialized in cross-border operations. In the mid 1980s the ANC warned of Mossad-style cross-border assassinations being carried out against it.<sup>19</sup>

The chain of command controlling the activities of the CCB's covert military unit involved a number of generals and led directly to the office of Defense Minister Magnus Malan. Malan said that the first he had heard of CCB's death squad activities was in November 1989, though this was contradicted by senior officers in statements to the official commission.<sup>20</sup>

Investigations have shown that, far from being solely an intelligence-gathering operation, the CCB was used for political intimidation, including murder. It was funded by secret monies that involved millions of Rands to cover salaries, expenses and travelling costs and over which there was little control.<sup>21</sup>

The existence of the CCB was officially acknowledged by the SADF in March 1990. The admission came after the arrest of CCB members on suspicion of killing anti-apartheid activists Anton Lubowski and David Webster.

Anton Lubowski was a member of SWAPO's Central Committee. On September 12, 1989, he was assassinated in front of his home in Namibia.

In an endeavor to deflect this unwanted attention Defense Minister Malan, a hardline opponent of President de Klerk, attempted to disinform the media and the investigation into Lubowski's murder. Malan claimed, quite suddenly, that his men would have had no reason to kill Lubowski since he had

been a military intelligence agent for the South Africans.<sup>22</sup>

David Webster, an academic and human rights activist, was gunned down outside his Johannesburg home on May 1, 1989. He had been working on an analysis of the South African hit squads and had uncovered clandestine links between the Mozambique National Resistance and the South African Army in northern Natal province.<sup>23</sup>

Malan issued a lengthy statement firmly denying he had issued orders for Webster and Lubowski to be killed.<sup>24</sup>

### Commission of Inquiry

For some time pressure for action against hit squads has been intensifying, catalyzed by demands for an independent inquiry into the

murders of Webster and Lubowski.

In the furor surrounding the Nofamela and Coetze confessions, the "reform" government of President F.W. de Klerk agreed to hold an internal inquiry. Then, as pressure increased, Judge Louis Harms was appointed to conduct an independent judicial inquiry into the allegations of killings.

The South African government presented a list of 71 unsolved killings to the Harms Commission. This list did not include cases from outside South Africa, yet it did cite more than just state-sponsored assassinations.<sup>25</sup> It includes ANC operations, either involving the killing of informers or state witnesses, or land-mine and grenade explosions.

This decision appears to have been taken to placate those police and military officers already deeply concerned at the rapid volte-face of the de Klerk government. There has been much dissent among the ranks of the police and military over the unbanning in early February 1990 of their arch-enemies, the ANC and the SACP.

Similarly the decision to exclude the foreign operations of the hit squads was an attempt to prevent this issue from becoming diplomatically embarrassing at a sensitive moment in Pretoria's relations with the outside world.

Because of the narrowness of the Harms Commission brief it will not include: the killing of the academic and journalist Ruth First in Maputo, Mozambique in August 1982; the attempted assassination of Albie Sachs in Maputo in 1988; the assassination of ANC representative Joe Gqabi in Harare, Zimbabwe in August 1981; the killing of Jeannette Schoon in Lubango, Angola in 1984; the killing of Dulcie September, ANC representative in Paris in March 1988; the bomb blast at the London ANC office in the early 1980s; the Shifidi killing in Namibia; in addition to numerous other bombings and assassinations in Harare, Lusaka, Gaborone and Maseru.<sup>26</sup>

22. *South African Press Association (SAPA)*, March 7, 1990.

23. *Sowetan*, June 12, 1989; *New York Times*, March 1, 1990.

24. *The Citizen*, February 20, 1990; (London) *Guardian*, February 21, 1990.

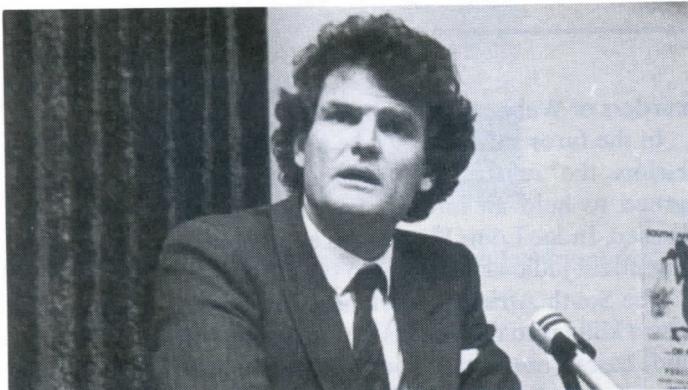
25. This list was presented to the Harms Commission by the Attorney General of the Orange Free State Province.

26. *Star*, November 22, 1989.

17. *The Citizen*, March 7, 1990.  
18. *SouthScan*, Vol. 5/8, March 2, 1990.  
19. *SouthScan*, Vol. 1/41, July 22, 1987.  
20. *Sunday Star*, March 18, 1990.  
21. *Op. cit.*, n. 18.

The Commission will also not examine the case of Swedish national Heine Human, who was reportedly employed by a South African police unit known as A1. Human was alleged to have been involved in the unsolved 1988 assassination of Dulcie September. Human fled South Africa in December 1989 and is now in the hands of ANC intelligence personnel.<sup>27</sup>

Nor will it look at the direct link which has been established between Pretoria and the 1982 bombing of the ANC's London office. British national and former A1 agent Peter Casselton —jailed in 1982 for burglary and now in South Africa with Interpol searching for him—has acknowledged that he was an A1 agent and that he had been responsible for operations in London.<sup>28</sup>



Credit: Impact Visuals

**SWAPO member Anton Lubowski was murdered by South African death squads.**

### Conclusion

President F.W. de Klerk recognized the need to diminish some of the power of the security apparatus, as well as the need to acquire levers of control over some of his military generals who are deeply uneasy about the course he is following.

Although de Klerk has already indicated that he will not react to "trial by media," once the Harms Commission's findings are in, he will most likely fire those generals implicated in the scandal. Or possibly, he will hold the threat of a broader-ranging investigation over their heads as a guarantee of their future loyalty.

de Klerk already has enough evidence to dismiss Defense Minister Magnus Malan, something he has wanted to do for several months. Many believed Malan's career was effectively over before Harms began hearing evidence. But if de Klerk has found a means of reining in his military generals, the same may not be true of their police counterparts.

It appears that the men behind the police death squads have stuck to the requirements for illegal and covert activities: plausible deniability and cut-outs. As yet there is little evidence linking the current roster of police colonels and generals to the Section C hit squads. It seems certain that knowledge of the hit squads went right to the top. A document

which indicates that the State Security Council and senior ministers were aware of death squad activity was cited in the South African press in December 1989.<sup>29</sup>

Foreign Minister Roelof "Pik" Botha has specifically been accused in the media of knowing about the regional operations of the hit squads — something he strongly denies.<sup>30</sup> Craig Williamson is taking damage-limitation action by admitting that he knew about raids outside the country, but not about death squad killings.<sup>31</sup>

The international focus on police and military hit squad activities has been intense, yet in late April and May 1990 more assassinations and attempted killings took place. A Pan-African Congress member and his family were murdered in Botswana and an Anglican priest with links to the ANC was badly injured by a bomb in Harare, Zimbabwe.<sup>32</sup>

The operations of other squads inside the country are also coming to light. There is now evidence that the Johannesburg City Council operated a spy ring. Allegations were exposed at another government inquiry that its employees worked with Military Intelligence to commit illegal acts of violence, including the burning down of an alleged ANC house in a suburb of Johannesburg.<sup>33</sup>

An average of 11 South African police are now resigning every day and morale is at an all-time low. These police have played a key role in the repression that has propped up *apartheid*, and many are extremely worried about their future once the system is abolished. But it is clear that neither security apparatus responsible for the death squad activities has been restructured or shut down.

de Klerk may now have achieved two prime objectives; to improve control of his restive security apparatus, and to have pawns with which to bargain with the ANC, trading police hit-men against guerrillas. But anti-*apartheid* activists fear that with or without overt official approval, the squads will continue to operate.

29. *Interpress*, December 15, 1989.

30. *Business Day*, April 5, 1990.

31. *Ibid.*

32. *SouthScan*, Vol. 5/17, May 4, 1990.

33. *SAPA*, April 30, 1990.

### Correction:

In issue Number 33 we inadvertently dropped the last line of the article "Elections Under State Terror," by Terry Allen and Edward Herman. The last sentence should read:

The legitimized government may also kill its citizens freely, if it avoids murdering and mutilating notables, in which case the press may raise questions about whether the "elected government" really "controls" the people who kill.

We would like to apologize both to the authors and to our readers for this omission.

27. *Vrye Weekblad*, January 1990.

28. *Vrye Weekblad*, January 12, 1990.

# CovertAction

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**Pol Pot welcomed by the Chinese in a parade through Tienanmen Square**

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